



California Regulatory Notice Register

REGISTER 2007, NO. 1-Z

PUBLISHED WEEKLY BY THE OFFICE OF ADMINISTRATIVE LAW

JANUARY 5, 2007

PROPOSED ACTION ON REGULATIONS

TITLE 02. DEPARTMENT OF PERSONNEL ADMINISTRATION

Employee Merit Awards — Notice File No. Z06-1220-01 1

TITLE 05. CALIFORNIA STUDENT AID COMMISSION

Implementation of State Nursing Assumption Program of Loans for Education for Nurses in State Facilities — Notice File No. Z06-1226-04 3

TITLE 08. AGRICULTURAL LABOR RELATIONS BOARD

Agricultural Employee Relief Fund, Challenged Ballots, Mandatory Mediation — Notice File No. Z06-1222-01 5

TITLE 11. DEPARTMENT OF JUSTICE

Administrative Review Process for Charitable Trustees and Fundraising Professionals Who Violate the Supervision of Trustees and Fundraisers or Charitable Purposes Act — Notice File No. Z06-1226-06 7

TITLE 16. ACUPUNCTURE BOARD

Continuing Education — Notice File No. Z06-1226-02 10

TITLE 17. CALIFORNIA AIR RESOURCES BOARD

Amendments to Regulations for the State Ambient Air Quality Standard for Nitrogen Dioxide — Notice File No. Z06-1222-03 12

TITLE 27. CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

Unified Program Administrative Cleanup Regulations — Notice File No. Z06-1222-02 16

GENERAL PUBLIC INTEREST

DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

Ineligible List of Contractors 19

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

Seeking Judicial Approval of Superfund Settlement Agreement (Second Consent Decree) with owners of Chase Chemical Site (a.k.a. The Holchem Site in Pacoima, California) 19

(Continued on next page)

***Time-
Dated
Material***

DEPARTMENT OF FISH AND GAME
Proposed Research on Fully Protected Species—Monitoring and research of Mohave tui chub (Siphateles bicolor mohavensis) 21

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT
Availability of Draft Report for Review and Comment — “Development of Health Criteria For School Site Risk Assessment Pursuant to Health and Safety Code section 901(g): Proposed Child–Specific Benchmark Change in Blood Lead Concentration for School Site Risk Assessment.” 22

OFFICE OF ADMINISTRATIVE LAW
Rulemaking Calendar 23

SUMMARY OF REGULATORY ACTIONS

Regulations filed with the Secretary of State 23

Sections Filed, July 26, 2006 to December 27, 2006 27

The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

CALIFORNIA REGULATORY NOTICE REGISTER (USPS 002–931), (ISSN 1041-2654) is published weekly by the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339. The Register is printed by Thomson West and is offered by subscription for \$202.00 (annual price). To order or make changes to current subscriptions, please call (800) 888-3600. “Periodicals Postage Paid in Saint Paul, MN.” **POSTMASTER:** Send address changes to the: CALIFORNIA REGULATORY NOTICE REGISTER, Thomson–West/Barclays, P.O. Box 2006, San Francisco, CA 94126. The Register can also be accessed at <http://www.oal.ca.gov>.

**PROPOSED ACTION ON
REGULATIONS**

*Information contained in this document is
published as received from agencies and is
not edited by Thomson West.*

**TITLE 2. DEPARTMENT OF
PERSONNEL ADMINISTRATION**

**ARTICLE 4. EMPLOYEE MERIT
AWARD BOARD**

NOTICE OF PROPOSED REGULATORY ACTION

The Department of Personnel Administration (DPA) proposes the amendment of the following regulations for all current represented, non-represented and retired state employees, which appear in Title 2 of the California Code of Regulations:

599.664 Cash Awards

PUBLIC HEARING

A public hearing will be held from 9 a.m. to 12 noon on February 27, 2007 at the Department of Personnel Administration, 1515 "S" Street, North Building, Suite 400 in Conference Room A/B, Sacramento, CA. This room is wheel chair accessible. At the hearing any persons may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest. DPA requests but does not require that persons who make oral comments at the hearing also submit a written copy of their testimony at the hearing.

WRITTEN COMMENT PERIOD

Any interested person or his or her authorized representative may submit written comments relevant to the proposed regulatory action to DPA. The written comment period closes at 5 p.m., February 19, 2007. DPA will consider only comments received at DPA by that time. Please submit comments to the agency contact person below:

Department of Personnel Administration
Attn: Marilyn Moran
1515 "S" Street, North Building, Suite 400
Sacramento, CA 95814
Phone (916) 324-0522

**AVAILABILITY OF STATEMENT OF
REASONS AND TEXT OF PROPOSED
REGULATIONS/CONTACT PERSONS**

DPA will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the address above. As of the date this notice is published in the Notice Register, the rulemaking file consists of this Notice, the proposed text of the regulations and the Initial Statement of Reasons. Copies may be obtained by contacting Marilyn Moran at the address or phone number listed above.

AVAILABILITY OF CHANGES

After holding the hearing and considering all timely and relevant comments received, DPA may adopt the proposed regulations substantially as described in this notice. If DPA made modifications that are sufficiently related to the originally proposed text, it will make the modified text (with changes clearly indicated) available to the public for at least 15 days before adopting the regulations as revised. Please send requests for copies of any modified regulations to the attention Marilyn Moran at the address indicated above. DPA will accept written comments on the modified regulations for 15 days after the date on which they are made available.

**AVAILABILITY OF FINAL STATEMENT
OF REASONS**

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Marilyn Moran at the above address.

**AVAILABILITY OF DOCUMENTS
ON THE INTERNET**

Copies of the Notice of Proposed Regulatory Action, the Initial Statement of Reasons, the text of the regulations in strike-out format, and the Final Statement of Reasons, can be accessed through DPA's website at www.dpa.ca.gov

PROPOSED REGULATORY ACTION

Notice is hereby given that DPA intends to amend Section 559.644, Division 1, Chapter 3, Subchapter 1, Article 4 (Title 4) of the California Code of Regulations.

DPA has prepared a written explanation of the reasons for amending Article 4 by proposing amendments to Section 599.644.

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW
AMENDMENT TO TITLE 2, ARTICLE 4,
EMPLOYEE MERIT AWARD BOARD

599.655–599.664 EMPLOYEE MERIT AWARD
BOARD

Section 19823 of the Government Code provides that the State may make awards to current represented, non-represented or retired State employees who propose procedures or ideas which have been adopted and will result in eliminating or reducing state expenditures or improving operations, provided such proposals are placed in effect.

Regulations governing the program specify the types of awards available through the Merit Award Program, the responsibility of the Merit Award Program and State Departments in the administration of the awards program; the responsibilities of the State Merit Award Board; whether a subject matter is eligible for consideration; eligibility requirements of an employee to receive cash awards; procedures for processing employee suggestions; employee appeal rights; and steps for calculating cash awards.

The amended regulations will revise the methods of calculating awards for adopted suggestions.

FEDERAL REGULATIONS

There are no existing federal regulations, statutes, or requirements that cover the purpose of the proposed action.

SMALL BUSINESS

The regulations covered by this proposal have no impact on small business because they apply only to California state employees.

LOCAL AGENCY AND SCHOOL
DISTRICT MANDATE

DPA has determined that since these rules pertain only to State employees, they do not impose a mandate on local agencies or school districts.

COSTS OR SAVINGS

DPA has made the following initial determinations:

- Cost or savings to any state agency: None.
- Cost to any local agency or school district which must be reimbursed in accordance with Government Code Section 17500 through 17630: None.
- Other nondiscretionary cost or saving imposed on local agencies: None.
- Cost or savings in federal funding to the state: None

PRIVATE PERSONS/BUSINESS IMPACT

The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action:

HOUSING COSTS

The proposed regulations have no effect on housing costs.

ECONOMIC IMPACT ON BUSINESS

The proposed regulations will not have a significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states.

ASSESSMENT REGARDING THE CREATION OR
ELIMINATION OF JOBS IN CALIFORNIA

The proposed regulations will neither; (1) create or eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

AUTHORITY AND REFERENCE

Government Code Section 19815.4(d) authorized DPA to adopt, amend, and repeal rules pertaining to the administration of the State's system which included Title 2, Article 4, Employee Merit Award Board, California Code of Regulations.

Authority Cited: Sections 19815.4(d), 19816 and 19823 Government Code.

Reference: Section 19823, Government Code.

CONSIDERATION OF ALTERNATIVES

The Department has determined that no reasonable alternative considered by the Department, or that has otherwise been identified and brought to the attention of the Department, would be more effective in carrying

out the purpose for which these regulations are proposed, or would be as effective and less burdensome to affected private persons than the proposed regulations.

CONTACT PERSONS

Barry Fisher, Manager
Merit Award Program
Benefits Division
Department of Personnel Administration
1515 S Street, North Building, Suite 400
Sacramento, CA 95814
Telephone: 916-322-4753, Fax: 916-324-3213

The backup contact person for these inquiries is:

Marilyn Moran
Statewide Merit Award Administrator
Merit Award Program
Benefits Division
Department of Personnel Administration
1515 S Street, North Building, Suite 400

Title 5. CALIFORNIA STUDENT AID COMMISSION

NOTICE OF PROPOSED RULEMAKING AMENDMENT TO TITLE 5, CA CODE OF REGULATIONS REGARDING IMPLEMENTATION OF STATE NURSING ASSUMPTION PROGRAM OF LOANS FOR EDUCATION FOR NURSES IN STATE FACILITIES (SNAPLE NSF) — (EDUCATION CODE 70120-70129)

NATURE OF PROCEEDING

Notice is given that the California Student Aid Commission (CSAC) is proposing to take the action described in the Informative Digest.

A public hearing regarding this proposal is currently not scheduled. However, any interested person or duly authorized representative may request, no later than 15 days before the close of the written comment period that a public hearing be scheduled.

Following the public hearing, if one is requested, or following the written comment period, if no public hearing is requested, the California Student Aid Commission, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify the proposals if the modifications are sufficiently related to the original text. With the exception of technical or gram-

matical changes, the full text of any modified proposal will be available for 15 days before its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written comments related to this proposal, or who provide oral testimony if a public hearing is held, or who have requested notification of any changes to the proposal.

Notice is also given that any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the

California Student Aid Commission
Attention: Linda Brown
P.O. Box 419029
Rancho Cordova, CA 95741-9029

Comments may also be submitted by facsimile (FAX) at (916) 526-7977 or by e-mail to snapple@csac.ca.gov. Comments must be submitted before 5:00 p.m. on February 19, 2007.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by section 70125 of the Education Code, and to implement, interpret, or make specific sections 70120-70129 of the Education Code, the California Student Aid Commission is considering changes to Division 4 of Title 5 of the California Code of Regulations as follows: adopt sections 30920-30927 to implement, interpret, and make specific sections 70120-70129 of the Education Code establishing the State Nursing Assumption Program Of Loans For Education for Nurses in State Facilities. (SNAPLE NSF)

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The broad objective of this proposal is to implement the SNAPLE NSF student loan payment program established by Education Code sections 70120-70129.

Chapter 837 of the Statutes of 2006 enacted the State Nursing Assumption Program of Loans for Education for Nurses in State Facilities (SNAPLE NSF) in Education Code sections 70120-70129. This program authorizes CSAC to make payments for student loans on behalf of program participants. The loan payments would begin only after those program participants become licensed as a registered nurse in California and has been employed on a full-time basis in an eligible position in a state-operated 24 hour facility for one year. The participants are obligated to work in an eligible position in a state-operated facility for four consecutive years on a full-time basis. CSAC is required to select participants in the program from applicants meeting specified crite-

ria. The program is designed to encourage persons to obtain their California registered nurse license and serve as a registered nurse in a state-operated 24-hour facility that employs registered nurses and that has a registered nurse vacancy rate of greater than 10 percent as reported annually to the Commission by the Department of Personnel Administration (Educ. Code, § 70120(a)(1)).

The proposed regulations would implement, interpret, and make specific the elements of SNAPLE NSF. Specifically, the proposal would:

1. Define terms used in the regulations;
2. Establish and specify the requirements for applications to participate in the program;
3. Establish and specify the eligibility requirements for persons who wish to apply for the program;
4. Establish the process by which CSAC will select program participants from among the nominated students;
5. Specify the requirements for loan assumption agreements between the selected program participants and CSAC;
6. Specify the requirements under which CSAC may make loan payments on behalf of the program participants;
7. Specify the consequences of a program participant's failure to complete the obligation to teach nursing.

There are no comparable provisions of federal law related to this proposal.

LOCAL MANDATE

This proposal does not impose a mandate on local agencies or school districts.

FISCAL IMPACT ESTIMATES

This proposal does not impose costs on any local agency or school district for which reimbursement would be required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. This proposal does not impose other nondiscretionary cost or savings on local agencies. This proposal does not result in any cost or savings in federal funding to the state.

COSTS OR SAVINGS TO STATE AGENCIES

None.

EFFECT ON HOUSING COSTS

None

BUSINESS IMPACT/SMALL BUSINESSES

CSAC has made an initial determination that the proposed regulatory action would have no significant state-wide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposal would impose no costs upon business. The proposal does not affect small businesses as defined by section 11342.610. This proposal would affect a private sector or small business only if a private sector college or university voluntarily chooses to nominate its students to participate in SNAPLE.

ASSESSMENT REGARDING EFFECT ON JOBS/BUSINESSES

CSAC has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

COST IMPACT ON REPRESENTATIVE PERSON OR BUSINESS

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

BUSINESS REPORT

This regulatory proposal does not require a report.

ALTERNATIVES

CSAC must determine that no reasonable alternative considered by the agency, or that has otherwise been identified and brought to the agency's attention, would be more effective in carrying out the purpose for which the adoption of this regulation is proposed, or would be as effective as and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Inquiries concerning the proposed adoption of this regulation and written comment may be directed to:

Linda Brown
California Student Aid Commission
P. O. Box 419029
Rancho Cordova, CA 95741-9029

(916) 526-7599

or

Clarita Cortez
California Student Aid Commission
P.O. Box 419029
Rancho Cordova, CA 95741-9029

(916) 526-7953

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons and all the information upon which the proposal is based may be obtained upon request from CSAC, P. O. Box 419029, Rancho Cordova, CA 95741-9029. These documents may also be viewed and downloaded from the CSAC website at www.csac.ca.gov.

INITIAL STATEMENT OF REASONS AND INFORMATION

CSAC has prepared an initial statement of reasons for the proposed action and has available all the information upon which the proposal is based.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named above.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named above.

WEBSITE ACCESS

Materials regarding this proposal can be found at www.csac.ca.gov.

TITLE 8. AGRICULTURAL LABOR RELATIONS BOARD

NOTICE OF PROPOSED REGULATORY ACTION TO AMEND TITLE 8, SECTIONS 20299, 20363, and 20407

January 2007

Notice is hereby given that the Agricultural Labor Relations Board (ALRB or Board), pursuant to the authority vested in it by section 1144 of the Labor Code to make, amend, or rescind rules and regulations as may be necessary to implement, interpret, and make specific the provisions of the Agricultural Labor Relations Act (ALRA) (Labor Code sec. 1140, et seq.), proposes to amend sections 20299, 20363, and 20407 of its regulations. The Board's regulations are codified in Title 8, California Code of Regulations, section 20100, et seq. The proposed amendments are described below in the Informative Digest. An initial statement of reasons for the amendment of these regulations, along with the text of proposed amendments, has been prepared by the ALRB and is available upon request by contacting J. Antonio Barbosa, Executive Secretary, Agricultural Labor Relations Board, 915 Capitol Mall, Third Floor, Sacramento, CA 95814, (916) 653-3741, Fax: (916) 653-8750, e-mail: jbarbosa@alrb.ca.gov or Joseph A. Wender, Jr., Senior Board Counsel, same address and fax number as above, (916) 651-7620, e-mail: jwender@alrb.ca.gov. This notice, as well as the initial statement of reasons and text of the proposed regulation, also may be found on the Board's website at www.alrb.ca.gov. The final statement of reasons, once it has been prepared and submitted to the Office of Administrative Law, shall be available in the same manner as the initial statement of reasons.

The ALRB invites all interested persons to submit written comments on the proposed amendments. Comments must be received at ALRB headquarters at the address listed above by 5:00 p.m. on February 23, 2007. A public hearing is not scheduled. However, any interested person or his or her duly authorized representative may submit, in writing, no later than February 8, 2007, a request that a public hearing be held on the proposed amendments.

ADOPTION OF PROPOSED REGULATION

After the comment period closes, and a hearing, if requested, is held, the Board will consider all public comment, written and oral, and decide whether to make any changes to the proposed amendments. The Board may adopt the proposed amendments if no substantial

changes are made. If the Board decides to make substantial changes that are “sufficiently related” to the initial proposals, the public will be given notice of those changes and will be given at least 15 days to provide comment. If the Board decides to make “major” changes to the proposals that are “not sufficiently related to” the initial proposals, a new notice of proposed action will issue allowing for a new 45-day comment period.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Amend Section 20299. Agricultural Employee Relief Fund

SB 1198 (Chapter 408, Statutes of 2001) created the Agricultural Employee Relief Fund (Fund), effective January 1, 2002. New section 1161 of the Agricultural Labor Relations Act (Gov. Code sec. 1161) provided that when employees cannot be located for two years after collection of monies on their behalf, those monies would go into the Fund and then be distributed to employees in other cases where collection of the full amount owed is impossible. The implementing regulation, section 20299, in its initial form, became effective October 3, 2002. The regulation was amended in 2004 and 2005.

Regulation 20299, subdivision (b)(4), presently provides for a minimum payment of \$1.00. While intended to maximize the number of farm workers who receive payment from the Fund, the Board has since learned that farm workers often decline back pay checks for small amounts, particularly those below \$10.00. Unless they have to travel only a short distance to pick up the checks, which usually is not the case, time and travel expenses make payments of that size unattractive. Moreover, because the payees from the Fund, by definition, are workers who have been owed back pay for a number of years that has been determined to be uncollectible from the offending employer, offering checks for tiny amounts after waiting years for payment can merely add insult to injury. In addition, it would be an imprudent use of scarce resources to utilize staff time to contact payees and process the checks for a few dollars.

Therefore, the Board proposes to raise the minimum pay out from the Fund to \$10.00. The Board believes that this figure strikes the proper balance between common sense and attempting to provide at least some relief to a maximum number of eligible claimants.

Amend Section 20363. Post-Election Determination of Challenges.

When, during a representation election, voters' eligibility is challenged, their votes are segregated in a secure fashion pending an investigation of their eligibility

and the issuance of a report by the regional director (RD) recommending a resolution of the challenges. Parties may file with the Board exceptions to the report. Presently, section 20363, subdivision (b) provides that exceptions to a RD's challenged ballot report shall be accompanied by declarations and other documentary evidence in support of the exceptions. The regulation does not restrict the evidence to be submitted to the Board to that previously submitted to the RD during the challenged ballot investigation. Indeed, the Board has considered newly submitted evidence without apparent restriction. (See *Sam Andrews' Sons* (1976) 2 ALRB No. 28; *Oceanview Produce Co.* (1994) 20 ALRB No. 10.) In many cases, this newly submitted evidence is the only source of facts contradicting those found by the RD in his report.

The rationale for allowing evidence withheld from the RD to be submitted to the Board is not apparent. It allows a party to be uncooperative during the challenged ballot investigation, review the RD's report, and tailor its submissions to the Board to create an apparent factual dispute warranting an evidentiary hearing. This practice thus has the potential of making challenged ballot investigations meaningless and, consequently, adding unnecessary delay to the process of resolving election cases. As a result, the Board proposes to amend the regulation to prohibit, absent extraordinary circumstances, the submission of evidence in support of exceptions to a challenged ballot report that was not submitted timely to the RD during the challenged ballot investigation.

Amend Section 20407. The Mediation and Conciliation Process

An amendment to the Agricultural Labor Relations Act, effective January 1, 2003, provided for a hybrid mediation and arbitration process (entitled “Mandatory Mediation and Conciliation;” Labor Code secs. 1164–1164.13) to establish the terms of a collective bargaining agreement in specified circumstances where the employer and the union have been unable to agree to a contract. The Board proposes two clarifying changes in the regulation governing the Mandatory Mediation and Conciliation process.

1) Presently, the regulations do not provide a process for notifying the Board when mediation has resulted in a voluntary agreement without the need for the mediator to issue a report fixing the terms of an agreement. Therefore, the Board proposes to expressly require that parties who reach voluntary agreement notify the Board and submit a copy of the signed agreement pursuant to Regulation 20450, which requires generally that a copy of collective bargaining agreements be submitted to the Board.

2) Under the statute, the decision issued by the mediator fixing the terms of a contract if the parties fail to vol-

untarily agree during the mediation process is termed a "report." Pursuant to Labor Code sections 1164.3 and 1164.5, the report is subject to Board and appellate court review and to enforcement in the superior courts. The Board proposes to clarify that the issuance of any document by a mediator fixing the terms of a collective bargaining agreement shall be deemed a "report" subject to the review and enforcement procedures set forth in Labor Code sections 1164.3 and 1164.5. This clarification is necessary to avoid confusion stemming from the legal effect of a mediator's decision that is entitled something other than a "report."

RULEMAKING FILE

Pursuant to Government Code sections 11346.5 and 11347.3, the Board shall maintain a rulemaking file containing all materials considered in the rulemaking process.

The file currently contains:

1. A copy of this notice
2. A copy of the Initial Statement of Reasons
3. Text of the Proposed Amendments to Sections 20299, 20363, and 20407

As other materials are received, such as written comments, studies, reports, etc., they will be added to the rulemaking file. The file is available for inspection at the headquarters office of the ALRB, 915 Capitol Mall, Third Floor, Sacramento, CA, during normal business hours.

ALTERNATIVES TO PROPOSED ACTION

The Administrative Procedure Act requires that the Board, in taking any regulatory action, determine that no alternative considered or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

LOCAL MANDATE STATEMENT

The proposed regulatory changes would not impose any mandate on local agencies or school districts.

IMPACT STATEMENTS

- A. Estimated fiscal impact on local government or school districts: None.

- B. The proposed changes would result in no cost or savings to any state agency, or cost to any local agency or school district that is required to be reimbursed under Part 7 (commencing with section 17500) of Division 4 of the Government Code, nor impose other nondiscretionary cost or savings on local agencies or affect cost or savings in federal funding.
- C. Fiscal effect on private persons or businesses directly affected: No increase in costs. The ALRB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- D. The proposed changes would have no effect on small business because the changes impose no new burdens upon parties appearing before the Board.
- E. The proposed changes would have no significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.
- F. The proposed changes would have no effect on the creation or elimination of jobs within the State of California, no effect on the creation of new businesses or the elimination of existing businesses within the State of California, and no effect on the expansion of businesses currently doing business within the State of California.
- G. The proposed changes would have no effect on housing costs.

INQUIRIES

Any inquiries concerning any aspect of the proposed regulatory action noticed herein should be directed to J. Antonio Barbosa, Executive Secretary, Agricultural Labor Relations Board, 915 Capitol Mall, Third Floor, Sacramento, CA 95814, (916) 653-3741, Fax: (916) 653-8750, e-mail: jbarbosa@alrb.ca.gov or Joseph A. Wender, Senior Board Counsel, same address and fax number as above, (916) 651-7620, e-mail: jwender@alrb.ca.gov. Questions concerning the substance of the proposed amendments may be directed to Mr. Wender.

TITLE 11. DEPARTMENT OF JUSTICE

NOTICE OF PROPOSED ACTION

NOTICE IS HEREBY GIVEN that the Department of Justice (Department) proposes to add permanent reg-

ulations to create, pursuant to Government Code section 12598, the administrative review process consistent with Chapter 4.5 (commencing with 11400) of Part 1 of Division 3 of Title 2 of the Government Code necessary to refuse to register, or to revoke or suspend the registration of charitable trustees and fundraising professionals for violations of the Supervision of Trustees and Fundraisers for Charitable Purposes Act (Government Code section 12580 et seq.).

PUBLIC COMMENT PERIOD

The Department will accept written comments presenting statements, arguments or contentions relevant to the proposed regulations for a period of 45 days from the date of publication of this Notice of Proposed Action. The Department will not consider any comments which are not received by 5 p.m. on February 19, 2007. No later than 15 days prior to the close of this written comment period, any interested person, or his or her duly authorized representative, may make a written request for a public hearing pursuant to Government Code section 11346.8, and a public hearing will be held. Written comments or requests for a public hearing should be addressed to Deputy Attorney General John M. Appelbaum, Department of Justice, Office of the Attorney General, P.O. Box 944255, Sacramento, California, 94244-2550.

AUTHORITY AND REFERENCE

The proposed regulations add sections 999.6-999.8 to Chapter 15 of Title 11, Division 1 of the California Code of Regulations, under the authority of Government Code section 12598, which provides for the Attorney General's right to refuse to register, or to revoke or suspend the registration of charitable trustees and fundraising professionals required to register with, and report to the Attorney General. The new sections will provide for an administrative review process when the Attorney General exercises his authority to refuse to register, or to suspend or revoke registration, consistent with the provisions of Chapter 4.5 (commencing with 11400) of Part 1 of Division 3 of Title 2 of the Government Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

In 2000, the Legislature added subdivision (e) to Government Code section 12598, giving the Attorney General authority to refuse to register, or to revoke or suspend the registration of charitable trustees and fundraising professionals required to register with, and re-

port to him, whenever the Attorney General finds that the entity is or has been violating the provision of the Supervision of Trustees and Fundraisers or Charitable Purposes Act, Chapter 6 (commencing with section 12580) of Title 2 of Division 3 of the Government Code. All actions taken regarding registration status are subject to the rights set forth in Chapter 4.5 (commencing with Section 11400) of Part 1 of Division 3 of Title 2 of the Government Code. The proposed regulations set forth the Attorney General's administrative review process for taking action on registration status, consistent with the procedural administrative adjudication procedures under the Administrative Procedure Act, commencing with Government Code section 11400.

DISCLOSURES REGARDING THE REGULATIONS

The Department has made the following initial determinations:

Mandate on local agencies and school districts: None

Cost to any local agency or school district which must be reimbursed in accordance with Government Code Sections 17500 through 17630: None

Other non-discretionary cost or savings imposed upon local agencies: None.

Cost or savings to any state agency. There will be some costs to the Attorney General associated with administrative action taken regarding registration status. These costs are not a mandate and are not reimbursable as these regulations do not require a new program or an increased level of service in an existing program. There will also be some increase in registration revenue as delinquent registrants comply with the registration and reporting requirements.

Cost or savings in federal funding to the state: None.

Cost impact on private persons or directly affected businesses: This regulation enforces existing law and gives affected charitable trustees and fundraising professionals the right to contest registration actions.

The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other States: None. The proposed regulations only give affected charitable trustees and fundraising professionals the right to contest actions taken regarding registration status.

Effect on small businesses: None. The proposed regulations only give affected charitable trustees and fundraising professionals the right to contest actions taken regarding registration status.

Significant effect on housing costs: None.

In accordance with Government Code section 11346.3, the DOJ has assessed whether and to what extent adoption of the regulations will affect the following:

- (a) The creation or elimination of jobs within the State of California: None.
- (b) The creation of new businesses or the elimination or expansion of existing businesses with the State of California: None.

STATEMENT OF REASONS AND INFORMATION

The Department has prepared an initial statement of the reasons for the proposed action and has available all of the information upon which the proposal is based.

TEXT OF REGULATIONS AND INITIAL STATEMENT OF REASONS

Copies of the exact language of the proposed regulations, the initial statement of reasons and other information, if any, may be obtained upon request from the Department of Justice, Office of the Attorney General, 1300 I Street, Sacramento, CA 94244-2550, Attn: Deputy Attorney General John M. Appelbaum, or by telephoning the contact person listed below.

CONTACT PERSON

General or substantive inquiries concerning the regulatory actions should be directed to Deputy Attorney General John M. Appelbaum at the above address or at (916) 445-2389. The backup contact person to whom general inquiries may be directed is Sandy Blazak, Associate Governmental Program Analyst, who may be contacted at the above address or at (916) 327-7882. The backup contact person to whom substantive inquiries may be directed is Supervising Deputy Attorney General Kelvin Gong who may be contacted at 455 Golden Gate Avenue, Suite 11000, San Francisco, California, 94102-7004 or at (415) 703-5510.

PRESENTATION OF ORAL AND/OR WRITTEN COMMENTS

Interested persons are invited to submit written comments on the adoption of the regulations. A public comment period is provided from January 5, 2007, through February 19, 2007. Filing of written statements will be accepted at the Department of Justice, Office of the At-

torney General (Attention: John M. Appelbaum, Deputy Attorney General), 1300 I Street, Sacramento, CA 95814, or by mail addressed to P.O. Box 944255, Sacramento, CA 94244-2550, until the close of business 5:00 p.m. on February 19, 2007. The DOJ will not consider written comments received after this date.

PROPOSED REVISIONS, FINAL ADOPTION OF REGULATIONS

Following the close of the written comment period, the Department may adopt, as final, the regulations as described in this Notice and Informative Digest. Copies of the regulations, as finally adopted, will be sent to all persons who have requested copies by filing a written request with the contact person identified above. If, as a result of public comments, significant or substantial changes to the proposed regulations are deemed appropriate, copies of the proposed changes will be sent to all persons who previously requested copies, all persons who submitted written comments during the comment period, all persons who submitted oral or written comments at a public hearing, if one is held, and those who have requested copies of information regarding the regulations.

Thereafter, the Department will accept written comments, argument, evidence and the like for a period of 15 days after the date upon which changes were made available. If adopted, the regulations will appear in the California Code of Regulations, Title 11, Division 1, Chapter 15, sections 999.6-999.8.

The Department must determine that no reasonable alternative considered by it or that has otherwise been identified or brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AVAILABILITY OF MATERIALS ON THE INTERNET

The Notice of Proposed Action, the Initial Statement of Reasons, the Final Statement of Reasons, the text of the proposed regulations, the date a rulemaking action is filed with the Secretary of State, and the effective date of the rulemaking action will all be posted on, and may be downloaded from, the website of the Charitable Trusts Section of the Office of the Attorney General in the DOJ (<http://ag.ca.gov/charities>).

Note: Authority cited: Section 12598(e), Government Code. Reference: Sections 11400, et seq. and 11500, et seq., Government Code.

TITLE 16. ACUPUNCTURE BOARD

NOTICE IS HEREBY GIVEN that the Acupuncture Board is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at the **Sportsman's Lodge located at 12825 Ventura Blvd, Studio City, CA, on February 23, 2007, at 9:00 a.m.** Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice must be received by the board at its office not later than 5:00 p.m. on **February 23, 2007**, or must be received by the board at the hearing.

The board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Section 4933 of the Business and Professions Code, and to implement, interpret or make specific Sections 462, 4938, 4945, 4949 and 4955 of the Business and Professions Code, the board is considering changes to Division 13.7 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Section 4945 of the Business and Professions Code requires the Acupuncture Board to establish standards for continuing education for acupuncturists. As a result of legislation (attached: AB 1943 and SB 1951 — Statutes of 2002, and AB 1114 — Statutes of 2005) and several studies/group panel meetings, the board determined the following amendments were necessary to establish current standards for continuing education.

1. Amend Section 1399.480

Existing law requires the board to establish standards for continuing education (CE). Current regulations establish definitions used for continuing education. This regulatory proposal would amend Section 1399.480 by making minor cleanup to existing language.

2. Amend Section 1399.481

Current regulations establish the criteria for provider approval including acupuncture schools and colleges that have been approved by the board under Section

4949 of the code. The board proposes to amend Section 1399.481 to make minor cleanup and technical changes to existing language and reference the correct citation to approved schools.

3. Amend Section 1399.482

Current regulations establish requirements for providers of continuing education relative to records that must be kept, information that must be provided to attendees of approved courses, and what to do should a course be cancelled or changed. The board proposes to amend Section 1399.482 to make minor cleanup to existing language; amend language regarding forms that are to be submitted to the board; and move language regarding changes to approved courses that should more appropriately be referenced in Section 1399.484.

4. Amend Section 1399.483

Current regulations specify what types of coursework can be approved for continuing education, establishes requirements for course evaluations, and establishes criteria for independent and home study courses. Based on the newly enacted requirement in AB 1114 (Yee, Chapter 648, Statutes of 2005) that divides continuing education into two categories, the board proposes to amend Section 1399.483 to classify continuing education courses submitted for approval into said categories. The board also proposes to prohibit practical or hands-on techniques for independent or home study courses and to require a self-assessment by the licensee for courses approved for independent or home study. Additionally, this proposal would prohibit providers from selling or discussing name brand products during a course.

5. Amend Section 1399.484

Current regulations establish requirements for continuing education course approval such as what information needs to be submitted to the board. The board proposes to amend Section 1399.484 to make minor cleanup and technical changes to existing language. Additional language is being proposed requiring providers to include information on which category of CE their course falls under (per proposed new language in Section 1399.483); and adding revised language from 1399.482 which is more appropriate for this section.

6. Amend Section 1399.485

Current regulations establish experience criteria for instructors of continuing education, both for acupuncturists and non-acupuncturists. The board proposes to amend Section 1399.485 to be more specific as to the type of discipline an instructor must be free of and make more specific the amount of experience an instructor must have.

7. Amend Section 1399.486

Current regulations establish requirements for publicizing continuing education courses. The board pro-

poses to amend Section 1399.486 to impose stricter guidelines in advertising by requiring that course titles reflect course content without market language, state which category of CE their courses fall under (per proposed new language in Section 1399.483), and state a full disclosure of all products that will be for sale after completion of a course.

8. Amend Section 1399.487

Current regulations establish requirements for the denial, withdrawal and appeal of approval for CE providers or CE provider applicants. The board proposes to amend Section 1399.487 to make minor cleanup to existing language so the language flows better and more understandable and expand the reasons for denial or withdrawal of approval of a provider.

9. Amend Section 1399.488

Current regulations, in conforming to the previous Permit Reform Act, establish minimum, medium and maximum processing times for a continuing education provider application and/or course approval. The board proposes to amend Section 1399.488 to delete the requirements of the Permit Reform Act, which has been repealed.

10. Amend Section 1399.489

Current regulations establish a breakdown of the number of continuing education hours a licensee must complete as a condition of renewal and also establishes for the random audit by the board of licensees to see they have complied with the CE requirements. Per AB 1114 (Yee, Chapter 648, Statutes of 2005), the board proposes to amend Section 1399.489 to change the number of CE hours that must be completed every two years from 30 to 50 hours and to revise the pro-rata breakdown of CE requirements for initial licenses that have been issued for less than two years; clarify the number of hours that can be completed in each of the two categories of CE (per proposed new language in Section 1399.483) as well as independent or home study courses; and add language allowing acupuncturists who participate in the occupational analysis or examination development session to receive limited CE credit.

11. Amend Section 1399.489.1

Current regulations establish requirements for inactive licensees who wish to restore their inactive license to active, including the completion of continuing education hours. The board proposes to amend Section 1399.489.1 to make a technical non-substantive change and to require licensees as a condition to restore their license from an inactive status, to complete specified hours in the two categories of continuing education (per proposed new language in Section 1399.483).

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Cost or Savings to State Agencies Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Costs to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact:

The board has determined that the proposed regulatory action will have no significant statewide adverse economic impact directly affecting California business, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses:

The board has determined that this regulatory proposal will not have any impact on the creation of jobs or businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Businesses:

The board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effects on Housing Costs: None

EFFECT ON SMALL BUSINESS

The board has determined that the proposed regulations affect on small businesses is unknown at this time. The increase in continuing education hours as a condition of renewal could impact the practices of licensees as there will be an increase in their expenses. Additionally, since they may have to abandon their practice for a day or so to attend courses, their income will be impacted as well.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the board must determine that no reasonable alternative which it considered or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purposes for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

The board invites any interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

**INITIAL STATEMENT OF REASONS
AND INFORMATION**

The Acupuncture Board has prepared an initial statement of reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons and all the information upon which this proposal is based, may be obtained at the hearing or prior to the hearing upon request by contacting Mary Howard, (916) 445-3021, at the Acupuncture Board, 444 North 3rd Street, Suite 260, Sacramento, California 95814.

**AVAILABILITY AND LOCATION OF
FINAL STATEMENT OF REASONS
AND RULEMAKING FILE**

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared by making a written request to the contact person named below.

CONTACT PERSON

Inquiries or comments concerning the proposed administrative action may be addressed to:

Janelle Wedge, Executive Officer
444 North 3rd Street, Suite 260
Sacramento, CA 95814
(916) 445-3021
FAX: (916) 445-3015
E-mail: Janelle_Wedge@dca.ca.gov

The backup contact person is:

Mary Howard, Administrative Coordinator
444 North 3rd Street, Suite 260
Sacramento, CA 95814
(916) 445-3021
FAX: (916) 445-3015
E-mail: Mary_Howard@dca.ca.gov

Inquiries concerning the substance of the proposed regulations may be directed to one of the contact persons named above.

Website Access: Materials regarding this proposal can be found at www.acupuncture.ca.gov

**TITLE 17. CALIFORNIA AIR
RESOURCES BOARD**

**NOTICE OF PUBLIC HEARING TO
CONSIDER AMENDMENTS TO
REGULATIONS FOR THE STATE
AMBIENT AIR QUALITY STANDARD
FOR NITROGEN DIOXIDE**

The Air Resources Board (the Board or ARB) will conduct a public hearing at the time and place noted below to consider amending its regulations for the state ambient air quality standard for nitrogen dioxide (NO₂). The current ambient air quality standard for NO₂ is 0.25 parts per million (ppm) averaged over 1 hour. Staff is proposing an NO₂ standard of 0.18 ppm averaged over 1 hour; a new annual average NO₂ standard of 0.030 ppm, not to be exceeded; and minor updates to the California Approved Samplers for NO₂.

DATE: February 22, 2007

TIME: 9:00 a.m.

PLACE: California Environmental Protection
Agency
Byron Sher Auditorium, Second Floor
1001 I Street
Sacramento, California 95814

This item will be considered at a two-day meeting of the Board, which will commence at 9:00 a.m., February 22, 2007, and may continue at 8:30 a.m., February 23, 2007. This item may not be considered until February 23, 2007. Please consult the agenda for the meeting, which will be available at least 10 days before February 22, 2007, to determine the day on which this item will be considered.

For individuals with sensory disabilities, this document is available in Braille, large print, audiocassette, or computer disk. Please contact ARB's Disability Coordinator at (916) 323-4916 by voice or through the California Relay Services at 711, to place your request for disability services. If you are a person with limited English and would like to request interpreter services, please contact ARB's Bilingual Manager at (916) 323-7053.

**INFORMATIVE DIGEST OF PROPOSED ACTION
AND POLICY STATEMENT OVERVIEW**

Sections Affected: Proposed amendments to title 17, California Code of Regulations (CCR), sections 70100.1 and 70200, and document incorporated by reference: "Air Monitoring Quality Assurance Manual, Volume IV: Monitoring Methods for the State Ambient Air Quality Standards."

Background: Section 39606(a)(2) of the Health and Safety Code requires the ARB to adopt ambient air quality standards in consideration of the public health, safety, and welfare, including but not limited to health, illness, irritation to the senses, aesthetic value, visibility interference and the effects of air pollution on the economy. Ambient air quality standards, as defined in section 39014 of the Health and Safety Code, reflect the relationship between the composition and intensity of air pollution to undesirable effects, and essentially define clean air. Ambient standards relating to health effects, including the NO₂ standard, are to be based upon the recommendations of the Office of Environmental Health Hazard Assessment (OEHHA). Existing section 70100.1 references California approved methods, samplers, and instruments for measuring and determining compliance with the standards; existing section 70200 sets forth the Table of Standards. The proposed amendments would modify the parts of those sections pertaining to NO₂.

Section 39606(d) of the Health and Safety Code (Children's Environmental Health Protection Act (SB25, Escutia; Stats. 1999, ch. 731, sec. 53)) required the ARB, in consultation with the OEHHA, to review all California health-based ambient air quality standards to determine if they are adequate to protect public health, including the health of infants and children. At its December 7, 2000 meeting, the Board approved a report, "Adequacy of California Ambient Air Quality Standards: Children's Environmental Health Protection Act" (Adequacy Report), prepared by ARB and OEHHA staffs, which concluded that health effects may occur in infants and children and other potentially susceptible subgroups exposed to several criteria air pollutants at or near levels corresponding to the current standards. "Criteria air pollutants" are defined as air pollutants for which acceptable levels of exposure can be determined and for which ambient air quality standards have been set. The Adequacy Report identified the standard for NO₂ as having a high priority for further detailed review and possible revision. The current ambient air quality standard for NO₂ is 0.25 ppm, averaged over 1 hour.

In response to the Adequacy Report's findings and the Board's direction, ARB and OEHHA staffs began an exhaustive review and evaluation of the scientific literature regarding the impacts of NO₂ air pollution on public health. The body of evidence demonstrated significant associations between health effects and NO₂ at the level of the current standard. The health effects from exposure near 0.25 ppm NO₂ for one hour can be significant to asthmatics, including increased airway reactivity, and enhanced airway inflammatory response after allergen challenge. The health effects from exposure to an annual average of 0.03 ppm NO₂ can also be signifi-

cant, including premature mortality, emergency room visits for asthma in children, and hospitalization for respiratory and cardiovascular disease. Furthermore, epidemiological studies have shown that long-term exposures to NO₂ at such levels may lead to changes in lung function growth in children, symptoms in asthmatic children, and pre-term birth. In addition, infants and children have disproportionately higher exposure to NO₂ than adults due to their greater ventilation rate and greater exposure duration, and children may be more susceptible to the potential effects of NO₂ on the developing lung.

Section 39606(d)(2) of the Health and Safety Code requires that ambient air quality standards be "established at levels that adequately protect the health of the public, including infants and children, with an adequate margin of safety." The staff review of the literature determined that there are compelling reasons to be concerned about significant adverse health effects associated with NO₂ exposure; that the one-hour standard is not sufficiently protective; and that a multi-hour standard is also needed. Further, aligning the state's NO₂ measurement methods with federal methods would allow the same NO₂ measurement data to be acceptable to both state and federal air quality agencies.

Two companion documents — a draft Staff Report containing staff's preliminary findings, and a draft Technical Support Document — were released to the public on April 14, 2006, titled "Review of California Ambient Air Quality Standard for Nitrogen Dioxide." The draft Staff Report, including staff recommendations for establishing a new annual average standard for NO₂, underwent scientific peer review by the Air Quality Advisory Committee (AQAC), an external peer review committee established in accordance with section 57004 of the Health and Safety Code and appointed by the President of the University of California. The AQAC held a public meeting on June 12–13, 2006, discussed their review of the draft Staff Report and the draft recommendations, and provided comments for improving the draft Staff Report to the ARB staff. Final AQAC findings were sent on *December 5, 2006*. The Staff Report was revised in response to comments received from the AQAC and the public. The final Staff Report (Initial Statement of Reasons for the proposed regulatory action), which is being released on January 5, 2007, includes the following staff proposal for revising the state ambient air quality standard for NO₂.

Staff Proposal: Based on a review of the scientific evidence on NO₂ health effects and the recommendations of OEHHA, ARB staff proposes the following revisions be made to the California ambient air quality standard for NO₂:

1. NO₂ continues to be the pollutant addressed by the standard.
2. NO₂ 1-hour-average standard — lower the 1-hour-average standard for NO₂ from 0.25 ppm to 0.18 ppm, not to be exceeded.
3. NO₂ annual average standard — establish a new annual average standard for NO₂ at 0.030 ppm, not to be exceeded. Three decimal places are included in order to ensure that the standard will provide an adequate margin of safety.
4. Monitoring method — retain the current monitoring method for NO₂, which uses the chemiluminescence method for determining compliance with the state ambient air quality standard for NO₂.
5. Incorporate by reference (in title 17, CCR, section 70101) all federally approved chemiluminescence methods (i.e., samplers) as “California Approved Samplers” for NO₂. This will result in no change in air monitoring practices, but will align state monitoring requirements with federal requirements.

Proposed Changes to Title 17, CCR: To effectuate the above recommendations, ARB staff proposes the following revisions to title 17, CCR, sections 70100.1 and 70200:

1. Amend section 70100.1 (Methods, Samplers, and Instruments for Measuring Pollutants) by adding a new subsection (d), “NO₂ Methods.”
2. Amend section 70200 (Table of Standards) by revising the 1-hour average ambient air quality standard for NO₂, by adding provisions for an annual average NO₂ standard, by updating the description of the relevant effects of exposure, and by specifying the use of “California Approved Samplers.”

Once ARB revises the ambient air quality standards that specify maximum levels of NO₂ that are consistent with healthy air, a second phase of regulatory activity will occur as ARB and the air pollution control and air quality management districts (districts) develop, propose, and adopt emission standards and other control measures that will apply to specific source categories of NO₂. The adoption of control measures designed to attain the ambient standards is a separate process conducted pursuant to the Health and Safety Code in accordance with the public notice and comment rulemaking procedures set forth in the California Administrative Procedure Act and other laws. ARB is not proposing any control requirements at this hearing.

COMPARABLE FEDERAL REGULATIONS

Sections 108 and 109 of the federal Clean Air Act (42 USC section 7401 et seq.) govern the establishment, review, and revision of national ambient air quality standards (NAAQS). Pursuant to these provisions, the United States Environmental Protection Agency (U.S. EPA) promulgated an ambient standard for NO₂. For an annual arithmetic mean exposure period, the standard is 0.053 ppm. The ARB staff does not believe this federal standard is sufficiently protective of public health.

Federal methods for measuring ambient concentrations of specified air pollutants have been designated as “reference methods” or “equivalent methods” in accordance with Title 40, Part 53, of the Code of Federal Regulations (40 CFR Part 53), and may be found at the EPA website: <http://www.epa.gov/ttn/amtic/files/ambient/criteria/ref0706.pdf>. Staff recommends the adoption of these methods for NO₂ as the monitoring methods and samplers for California.

Section 39606(d)(2) of the Health and Safety Code specifies that “standards shall be established at levels that adequately protect the health of the public, including infants and children, with an adequate margin of safety.” Because federal standards were not established in consideration of this specification, staff proposes that separate state standards are needed.

AVAILABILITY OF DOCUMENTS AND AGENCY CONTACT PERSONS

The Board’s staff has prepared a Staff Report/Initial Statement of Reasons (ISOR) for the proposed regulatory action, which includes a summary of the economic and environmental impacts of the proposal. The report consists of two parts. The “Staff Report: Review of the California Ambient Air Quality Standard for Nitrogen Dioxide” includes an overview, staff findings, and the proposed regulatory amendments in Appendix A. The “Technical Support Document: Review of the California Ambient Air Quality Standard for Nitrogen Dioxide” contains non-health topics, such as chemistry, sources and emissions, measurement, exposure, and welfare effects; and health topics, such as controlled human exposure studies, epidemiological studies, and toxicological studies. Copies of these reports may be accessed on the ARB’s web site listed below, or may be obtained from the Public Information Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, 1st Floor, Sacramento, CA 95814, (916) 322-2990 at least 45 days prior to the scheduled hearing February 22, 2007.

After the public hearing and upon its completion, the Final Statement of Reasons (FSOR) will be available and copies may be requested from the agency contact

persons in this notice, or may be accessed on the ARB's web site listed below.

Inquiries concerning the substance of the proposed regulation may be directed to the designated agency contact persons, Mr. Richard Bode, Chief, Health and Exposure Assessment Branch, (916) 323-8413, or Dr. Linda Smith, Manager, Health and Ecosystems Assessment Section, (916) 327-8225.

Further, the agency representatives to whom nonsubstantive inquiries concerning the proposed administrative action may be directed are Regulations Coordinators Alexa Malik, (916) 322-4011, and Amy Whiting, (916) 322-6533. The Board has compiled a record for this rulemaking action, which includes all the information upon which the proposal is based. This material is available for inspection upon request to the contact persons.

This notice, the ISOR and all subsequent regulatory documents, including the FSOR, when completed, are available on the ARB Internet site for this rulemaking at <http://www.arb.ca.gov/regact/no207/no207.htm>

COSTS TO PUBLIC AGENCIES AND TO BUSINESSES AND PERSONS AFFECTED

The determinations of the Board's Executive Officer concerning the costs or savings necessarily incurred by public agencies and private persons and businesses in reasonable compliance with the proposed regulations are presented below.

Pursuant to Government Code sections 11346.5(a)(5) and 11346.5(a)(6), the Executive Officer has determined that the proposed regulatory action will not create costs or savings to any state agency or in federal funding to the state, costs or mandate to any local agency or school district whether or not reimbursable by the state pursuant to Division 4, part 7, title 2 (commencing with section 17500) of the Government Code, or other nondiscretionary costs or savings to state or local agencies.

In developing this regulatory proposal, the ARB staff evaluated the potential economic impacts on representative private persons or businesses. The ARB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. This is because ambient air quality standards simply define clean air (see sections 39606 and 39014 of the Health and Safety Code). Once ambient standards are adopted by ARB, local air pollution control or air quality management districts and the Board develop rules and regulations to control air emissions from numerous source categories in order to attain the health-based ambient air quality standards. A number of different emission

standards and control measures are possible, and each will have its own economic or fiscal impact. These impacts must be evaluated when each control measure is proposed. Any economic or fiscal impacts associated with the imposition of future measures will be considered by the adopting regulatory agency in a public forum when specific measures are proposed.

The Executive Officer has made an initial determination that the proposed regulatory action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states, or on representative private persons.

In accordance with Government Code section 11346.3, the Executive Officer has determined that the proposed regulatory action will not affect the creation or elimination of jobs within the State of California, the creation of new businesses or elimination of existing businesses within the State of California, or the expansion of businesses currently doing business within the State of California. A detailed assessment of the economic impacts of the proposed regulatory action can be found in the ISOR.

The Executive Officer has also determined, pursuant to Title 1, CCR, section 4, that the proposed regulatory action will not affect small businesses, for the same reasons that it will not result in any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Before taking final action on the proposed regulatory action, the Board must determine that no reasonable alternative considered by the Board or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

SUBMITTAL OF COMMENTS

The public may present comments relating to this matter orally or in writing at the hearing, and in writing or by email before the hearing. To be considered by the Board, written submissions not physically submitted at the hearing **must be received no later than 12:00 noon, February 21, 2007**, and addressed to the following:

Postal mail is to be sent to:

Clerk of the Board
Air Resources Board
1001 I Street, 23rd Floor
Sacramento, CA 95814

Electronic mail is to be sent to: <http://www.arb.ca.gov/lispub/comm/bclist.php> and **received at the ARB no later than 12:00 noon, February 21, 2007.**

Facsimile transmissions are to be transmitted to the Clerk of the Board at (916) 322-3928 and **received at the ARB no later than 12:00 noon February 21, 2007.**

The Board requests but does not require that 30 copies of any written statement be submitted and that all written statements be filed at least 10 days prior to the hearing so that ARB staff and Board Members have time to fully consider each comment. The Board encourages members of the public to bring to the attention of staff in advance of the hearing any suggestions for modification of the proposed regulatory action.

STATUTORY AUTHORITY AND REFERENCES

This regulatory action is proposed under that authority granted in sections 39600, 39601, 39601(a) and 39606 of the Health and Safety Code. This action is proposed to interpret, implement, and make specific Health and Safety Code sections 39014, 39606, 39701, and 39703(f); and Western Oil and Gas Association v. Air Resources Board (1984) 37 Cal.3d 502.

HEARING PROCEDURES

The public hearing will be conducted in accordance with the California Administrative Procedure Act, division 3, title 2, part 1, chapter 3.5 (commencing with section 11340) of the Government Code.

Following the public hearing, the Board may adopt the regulatory language as originally proposed, or with non-substantial or grammatical modifications. The Board may also adopt the proposed regulatory language with other modifications if the text as modified is sufficiently related to the originally proposed text that the public was adequately placed on notice that the regulatory language as modified could result from the proposed regulatory action; in such event the full regulatory text, with the modifications clearly indicated, will be made available to the public, for written comment, at least 15 days before it is adopted.

The public may request a copy of the modified regulatory text from the ARB's Public Information Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, 1st Floor, Sacramento, CA 95814, (916) 322-2990.

TITLE 27. CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

Title 27 Unified Program Administrative Cleanup Regulations 45-Day Public Notice and Comment Period

NOTICE IS HEREBY GIVEN that the California Environmental Protection Agency (Cal/EPA) proposes to amend California Code of Regulations, title 27, division 1, subdivision 4, chapter 1, sections 15100-15620. These proposed regulations are administrative in nature and do not impose any new reporting requirements. These proposed regulations change the format from question headings to statement headings, move text to improve the organizational structure, remove duplicities, clarify existing language, and modify citations and references for consistency with the *California Style Manual*.

PUBLIC HEARING AND WRITTEN COMMENT PERIOD

A written comment period has been established beginning January 5, 2007, and closing on February 19, 2007. Cal/EPA will hold a public hearing on the proposed regulations on February 20, 2007, at 9:00 a.m. in the Cal/EPA headquarters building, Sierra Hearing Room, 2nd Floor, 1001 "I" Street, Sacramento, California, at which time any person may present statements or arguments orally or in writing, relevant to this proposal. Please submit written comments to the contact person listed at the end of this notice. Written comments submitted no later than 5:00 p.m. on February 19, 2007, will be considered.

Representatives of Cal/EPA will preside at the hearing. Anyone who wishes to speak needs to register before the hearing. Pre-hearing registration will be conducted at the location of the hearing from 8:30 a.m. to 9:00 a.m. Registered persons will be heard in the order of registration. Other persons wishing to speak at the hearing will be given an opportunity to do so after the registered persons have been heard.

Due to enhanced security precautions at the Cal/EPA headquarters building, all visitors are required to sign in and obtain a visitor badge prior to attending any meeting. Sign-in and badge issuance occur in the Visitor and Environmental Services Center located just inside and to the left of the building's public entrance. Visitors may be asked to show valid picture identification, which can be a current driver's license, military identification card, or state or federal identification card. Depending on the size and number of meetings scheduled on any

given day, the security check-in could take from three to 15 minutes. Please allow adequate time to sign in before being directed to the public hearing.

If you have special accommodations or language needs, please contact Ellajay Joiner, Executive Assistant, Unified Program, Cal/EPA, at (916) 327-9559 or by e-mail at ejoiner@calepa.ca.gov by February 2, 2007. TTY/TDD users may dial 711 for the California Relay Service. Speech-to-Speech services are available by calling (800) 735-0373 or via TTY at (800) 735-0193.

AUTHORITY AND REFERENCE

The Secretary of Cal/EPA makes these amendments under the authority granted by Health and Safety Code section 25404, subdivisions (b), (c), (d), and (e); section 25404.6, subdivision (c); and section 25531.2; and Government Code section 16.5 (c). These sections require the Secretary to adopt regulations that would implement, interpret or make specific Health and Safety Code chapter 6.11 for the Unified Program.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing Law

Chapter 6.11, division 20, of the Health and Safety Code section 25404 et seq. created the Unified Hazardous Waste and Hazardous Materials Management Regulation Program (Unified Program). The regulations to implement this program are located in title 27 of the California Code of Regulations. The Unified Program is a merger of the administration of the six previously existing programs specified in Health and Safety Code section 25404 (c) and in section 15100 et seq of title 27 of the California Code of Regulations. The six program elements and related laws are:

1. Hazardous Materials Release Response Plans and Inventory — Health and Safety Code division 20, article 1, section 15500 et seq; and title 19 of the California Code of Regulations, sections 2620-2734, also known as the ‘right-to-know’ or ‘hazardous materials inventory’ programs.
2. California Accident Prevention (CalARP) Program — Health and Safety Code division 20, article 2, section 15531 et seq; and title 19 of the California Code of Regulations, sections 2735.1 – 2785.1.
3. Underground Tank Program — Health and Safety Code division 20, chapter 6.7, section 25280 et seq; and title 23 of the California Code of Regulations, section 2620 et seq.

4. Aboveground Storage Tank Program — Health and Safety Code division 20, chapter 6.67, section 25270.5 (c); and by reference federal regulations in part 112 of title 40 of the Code of Federal Regulations.
5. Hazardous Waste Generator Program and Hazardous Waste Onsite Treatment activities — Health and Safety Code division 20, chapter 6.5; and title 22 of the California Code of Regulations, division 4.5.
6. Hazardous Materials Management Plan and Hazardous Materials Inventory Statement requirements — California Fire Code title 24, part 9, sections 8001.3.2 and 8001.3.3.

Policy Statement Overview

No new provisions are implemented in these regulations. The initial and follow-on regulations implemented the legislative mandate contained in Health and Safety Code division 20, chapter 6.11 (§ 25404 et seq).

Proposed Regulations

These proposed regulations are administrative in nature and do not impose any new reporting requirements. These amendments change the format from question headings to statement headings, move text to improve the organizational structure, remove duplicities, clarify existing language, and modify for consistency with the *California Style Manual*.

California Environmental Quality Act (CEQA) Compliance

Cal/EPA has found this rulemaking is not subject to CEQA because it is a ministerial project. A memo that documents this decision is found in Cal/EPA’s official regulatory file located at 1001 “I” Street, Sacramento, California.

Peer Review

Under the provisions of Health and Safety Code section 57004, peer review is not required because the proposed regulations do not establish a regulatory level, standard or other requirement subject to scientific peer review.

Business Report

Cal/EPA has determined that this rulemaking will not require businesses to write a new report, as defined by Government Code section 11346.3(c).

FISCAL IMPACT ESTIMATES

Mandates on Local Agencies and School Districts: Cal/EPA has made a preliminary determination that adoption of these regulations will create no new local mandates.

Estimate of Potential Cost or Savings to Local Agencies Subject to Reimbursement: Cal/EPA has

made a preliminary determination that adoption of these regulations will not impose a local mandate or result in costs subject to reimbursement pursuant to Government Code part 7, division 4, section 17500 et seq, or other non-discretionary costs to local agencies.

Cost or Savings to Any State Agency: Cal/EPA has made a preliminary determination that the proposed regulations will have no net impact on state revenue or costs.

Cost or Savings in Federal Funding to the State: Cal/EPA has made a preliminary determination that the proposed regulations will have no impact on federal revenue or costs.

Effect on Housing Costs: Cal/EPA has made an initial determination that there will be no impact on housing costs.

Cost Impacts on Representative Private Persons or Businesses: Cal/EPA is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Significant Statewide Adverse Economic Impact on Businesses: Cal/EPA has made an initial determination that the proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the ability to compete with businesses in other states.

Assessment Statement:

- (A) Creation or elimination of jobs within California — Cal/EPA has made a preliminary determination that no jobs will be created or eliminated in California as a result of the proposed regulations.
- (B) Creation of new businesses or the elimination of existing businesses within California — Cal/EPA has made a preliminary determination that no businesses will be created or eliminated in California as a result of the proposed regulations.
- (C) Expansion of businesses currently doing business in California — Cal/EPA has made a preliminary determination that no businesses in California will be expanded as a result of the proposed regulations.

Effect on Small Businesses: Cal/EPA has determined that provisions of this rulemaking will have no effect on small businesses. The proposed regulations create no significant impacts and do not impose any prescriptive standards or reporting requirements.

CONSIDERATION OF ALTERNATIVES

Cal/EPA must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of Cal/EPA would be more effective in carrying out the purpose for which the ac-

tion is proposed, or would be as effective as and less burdensome to affected private persons than the proposed action. Cal/EPA invites interested persons to present comments at the scheduled hearing or during the written comment period.

AVAILABILITY OF TEXT OF REGULATIONS
AND STATEMENT OF REASONS

Inquiries regarding the proposed regulations may be directed to Ms. Ellajay Joiner of Cal/EPA at (916) 327-9559. Please note, however, that such oral inquiries do not become part of the rulemaking record.

Statements, arguments or contentions regarding the rulemaking or supporting documents must be submitted in writing or may be presented orally or in writing at the public hearing for them to be considered by Cal/EPA before it adopts, amends, or repeals these regulations. To be included in this regulation package's mailing list, and to receive updates of this rulemaking, please visit and subscribe to the applicable Listserv at <http://www.calepa.ca.gov/Listservs/>.

Please direct all written comments, procedural inquiries and requests for documents by mail, e-mail or fax to:

Ms. Ellajay Joiner, Executive Assistant, Unified Program, Cal/EPA

Mailing address: P.O. Box 2815, Sacramento, California 95812

E-mail address: ejoiner@calepa.ca.gov

Telephone number: (916) 327-9559

Fax number: (916) 322-5615

Ms. Loretta Sylve, Staff Environmental Scientist, Unified Program, Cal/EPA

Mailing address: P.O. Box 2815, Sacramento, California 95812

E-mail address: lsylve@calepa.ca.gov

Telephone number: (916) 327-9558

Fax number: (916) 322-5615

POST-HEARING CHANGES

After the close of the comment period, Cal/EPA may adopt the proposed regulations. If substantial changes are made, the modified text will be made available for comment for at least 15 days prior to adoption. Only persons who request the specific proposed regulations, attend the hearing, or provide written comments on these specific regulations will be sent a copy of the modified text, if substantive changes are made.

Once regulations have been adopted, Cal/EPA prepares a Final Statement of Reasons, which updates the Initial Statement of Reasons, summarizes how Cal/EPA

addressed comments and includes other materials, as required by Government Code section 11346.9. Copies of the Final Statement of Reasons may be obtained from Ms. Joiner at the address listed above. A copy of the Final Statement of Reasons will also be posted on Cal/EPA's Web site listed above, along with the date the rulemaking is filed with the Secretary of State and the effective date of the regulations.

<p>GENERAL PUBLIC INTEREST</p>

**DEPARTMENT OF FAIR EMPLOYMENT
AND HOUSING**

NOTICE IS HEREBY GIVEN that the prospective contractors listed below have been required to submit a Nondiscrimination Program (NDP) or a California Employer Identification Report (CEIR) to the Department of Fair Employment and Housing, in accordance with the provisions of Government Code Section 12990. No such program or (CEIR) has been submitted and the prospective contractors are ineligible to enter into State contracts. The prospective contractor's signature on Standard Form 17A, 17B, or 19, therefore, does not constitute a valid self-certification. Until further notice, each of these prospective contractors in order to submit a responsive bid must present evidence that it's Nondiscrimination Program has been certified by the Department.

ASIX Communications, Inc.
DBA ASI Telesystems, Inc.
21150 Califa Street
Woodland Hills, CA 91367

Bay Recycling
800 77th Avenue
Oakland, CA 94621

C & C Disposal Service
P.O. Box 234
Rocklin, CA 95677

Choi Engineering Corp.
286 Greenhouse Marketplace,
Suite 329
San Leandro, CA 94579

Fries Landscaping
25421 Clough
Escalon, CA 95320

Marinda Moving, Inc.
8010 Betty Lou Drive
Sacramento, CA 95828

MI-LOR Corporation
P.O. Box 60
Leominster, MA 01453

Peoples Ridesharing
323 Fremont Street
San Francisco, CA 94105

San Diego Physicians & Surgeons Hospital
446 26th Street
San Diego, CA

Southern CA Chemicals
8851 Dice Road
Santa Fe Springs, CA 90670

Tanemura and Antle Co.
1400 Schilling Place
Salinas, CA 93912

Turtle Building Maintenance Co.
8132 Darien Circle
Sacramento, CA 95828

Univ Research Foundation
8422 La Jolla Shore Dr.
La Jolla, CA 92037

Vandergoot Equipment Co.
P.O. Box 925
Middletown, CA 95461

**DEPARTMENT OF TOXIC SUBSTANCES
CONTROL**

NOTICE TO INTERESTED PARTIES

**DTSC SEEKS JUDICIAL APPROVAL OF
SUPERFUND SETTLEMENT AGREEMENT
(SECOND CONSENT DECREE) WITH THE
PARTY WHO OWNS THE CHASE CHEMICAL
SITE, ALSO KNOWN AS THE HOLCHEM
SITE, IN PACOIMA, CALIFORNIA.**

The Department of Toxic Substances Control ("DTSC") has agreed to enter into a "Second Consent Decree" regarding the Chase Chemical State Superfund Site, also known as the Holchem /Brenntag Site located at 13540 and 13546 Desmond Street in Pacoima, California (the "Site").

BACKGROUND FACTS

The Complaints. In 2000, DTSC filed a complaint in the United States District Court against Holchem, Inc ("Holchem"), Herman and Isabel Benjamin and certain Benjamin Family Trusts (the "Benjamin Defendants")

and Chase Chemical Company. (*DTSC et al. v. Holchem, et al.* U.S.D.C. No. CV99-1267 CM). The complaint alleged that Holchem and the Benjamin Defendants were the owners and operators of the Site. The complaint sought relief pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9601, *et seq.*, as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. No. 99-499, 100 Stat. 1613 (1986) (“CERCLA”), and included a supplemental claim pursuant to the Hazardous Substance Account Act, California Health and Safety Code 25300 *et seq.* (the “HSAA”).

DTSC will shortly file an amended complaint to reflect the fact that Holchem, Inc. has merged into Soco West, Inc. (Soco West). Soco West, as successor to Holchem, is the owner and operator of the Site.

The Contamination of the Site. From 1967 until 1987, the Benjamin Defendants owned and operated Chase Chemical Company, Inc., a chemical distribution facility, at the Site. Effective July 1, 1987, Holchem purchased certain assets of Chase Chemical Company and leased the facility premises from the Benjamin Defendants. Holchem operated a chemical distribution facility at the Site from 1987 until 2001. As a result of the operations of the Benjamin Entities and Holchem at the Site, soil and groundwater samples taken there have revealed contamination with the following chemicals: benzene, Ethylbenzene, Toluene, Xylenes (BTEX), Acetone, Methyl Ethyl Ketone (MEK), 4-Methyl 2-Pentanone (MIBK), 2-Hexanone, Methylene Chloride, 1,1,1 Trichloroethane (TCA), Trichloroethylene (TCE), 1,1-Dichloroethane (1,1-DCA), 1,2 - Dichloroethane (1,2-DCA), Tetrachloroethylene (PCE) and possibly other hazardous substances.

Regulatory History. Prior to DTSC’s involvement and since 1988, the Regional Water Quality Control Board (“RWQCB”) had been overseeing the Site and required that semiannual groundwater monitoring be conducted by the Benjamin Defendants. In 1996, the RWQCB referred the Site to the United States Environmental Protection Agency (“U.S. EPA”) for further evaluation.

U.S. EPA then asked DISC to conduct a Preliminary Endangerment Assessment/Site Inspection (“PEA/SI”), through a Cooperative Agreement between the two agencies. While performing the PEA/SI, DTSC and U.S.EPA determined that the Site would be better addressed as a DTSC-lead site. In 1996, the Site was removed from the Cooperative Agreement and thereupon became a DTSC-lead site.

On April 21, 1997, DTSC issued an Imminent and Substantial Endangerment Order (“I&SE Order”) to Holchem and the Benjamin Defendants. While the Benjamin Defendants initially took timely steps toward compliance with the I&SE Order, DTSC later deter-

mined that the Benjamin Defendants did not comply with the I&SE Order, and DTSC consequently served them with a notice of noncompliance with that Order. Holchem disputed any liability or responsibility under the I&SE Order.

Settlement Discussions. Prior to April, 2000, DTSC, the Benjamin Defendants and Holchem engaged in extensive settlement discussions. As a result of these negotiations, the parties reached agreement, and on April 25, 2000 the United States District Court for the Central District of California entered a Consent Decree (“2000 Decree”) with respect to the Site.

The 2000 Consent Decree. The parties to the 2000 Decree were Plaintiffs — DTSC, the California Hazardous Waste Control Account, the California Hazardous Substance Account, the Toxic Substances Control Account and the Site Remediation Account, and Defendants — Holchem, the Benjamin Defendants, and Chase Chemical Company, Inc., a dissolved California corporation. The 2000 Decree required the Defendants to do the following: The Benjamin Defendants were required to pay funds toward the Site cleanup. Holchem was required to (1) implement certain “removal” actions necessary to minimize the spread of hazardous substances from the Site; (2) prepare a Remedial Action Plan (RAP) for the Site; and (3) pay certain costs that Plaintiffs had incurred or would incur with respect to the Site. The 2000 Decree did not address the actual implementation of a final remedy for the Site. The parties specifically contemplated that, once the RAP was completed, Holchem and DTSC would enter into negotiations toward a Decree that would require Holchem to implement the remedy selected in the RAP. At the time of the 2000 Decree, the Benjamin Defendants transferred ownership of the Site to Holchem.

Preparation of the RAP. Pursuant to its obligations under the 2000 Decree, Holchem and its successor, Soco West, prepared a draft Remedial Action Plan for the Site. DTSC reviewed and provided comments on this draft RAP and arranged for public participation in the decision making process. On December 16, 2005, DTSC approved the RAP for the Site. As contemplated by the 2000 Decree, DTSC and Soco West then began negotiations regarding Soco West’s responsibility to implement the remedy selected in the RAP. These negotiations were successful and Soco West has now agreed to fully implement the Site remedy set forth in the RAP.

THE PENDING SETTLEMENT

Provisions of the Second Consent Decree. Soco West’s agreement to implement the RAP has been memorialized in a consent decree (Second Consent Decree) that will be lodged with the Court in the pending

action. The Second Consent Decree includes the following provisions:

Soco West will prepare a Remedial Design that contains drawings, specifications, plans and timetables for implementing and monitoring each aspect of the remedy selected in the RAP.

Upon approval by DTSC of the Remedial Design, Soco West will proceed to implement the RAP for the Site.

Soco West will pay DTSC's Past Response Costs and Work Oversight Costs as those terms are defined in the Second Consent Decree.

Soco West receives Covenants Not to Sue from DTSC and the State Accounts, and also receives Contribution Protection as set forth in the Second Consent Decree.

DTSC intends to ask the Attorney General's Office to make a motion for judicial approval of the Second Consent Decree pursuant to CERCLA section 113 (f)(2), 42 U.S.C. 9613 (f)(2).

Obtaining Copies of the Second Consent Decree.

Interested parties may obtain copies of the Second Consent Decree by contacting Dr. Gabriel Farkas of DTSC's Glendale Office at (818) 551-2865.

Comments on the Second Consent Decree. Written comments with respect to the Second Consent Decree may be submitted to DTSC on or before February 5, 2007. Such comments should reference the Chase Chemical State Superfund Site and be directed to:

Dr. Gabriel Farkas
Chase Chemical Site Project Manager
California Department of Toxic Substances Control
1011 N. Grandview Avenue
Glendale, California 91201

DTSC's response to any timely comments will be available for inspection at DTSC's offices in Glendale, California at the above address. DTSC has reserved the right to withdraw its consent to the Second Consent Decree or to seek modification of the Second Consent Decree based on comments received.

Further information regarding this matter may be obtained by contacting DTSC Staff Counsel Robert Elliott at (916) 327-6105 or Deputy Attorney General Dennis Ragen at (619) 645-2016.

DEPARTMENT OF FISH AND GAME

Department of Fish and Game —
Public Interest Notice

For Publication January 5, 2007
**PROPOSED RESEARCH ON FULLY
PROTECTED SPECIES**

Monitoring and research of Mohave tui chub.

The Department of Fish and Game ("Department") received a proposal on December 11, 2006, from Craig A. Stockwell, a professor with North Dakota State University, requesting authorization to take Mohave tui chub (*Siphateles bicolor mohavensis*), a Fully Protected fish, for research purposes, consistent with the protection and recovery of the species.

The applicant is required to have a Scientific Collecting Permit (SCP) to take a protected species of fish. Permit conditions require that the holder of an SCP obtain special authorization from the Department for research on Fully Protected species.

This proposed research is an outgrowth of a workshop of Mohave tui chub fish experts hosted by Mojave National Preserve in September, 2003 to develop management recommendations for recovering the subspecies. The workshop recommended evaluation of existing refuge populations, with emphasis on the ecology of Lake Tuendae (Mohave National Preserve). Changes in Lake Tuendae (phytoplankton blooms, potential reduction in chub numbers and vigor, and crash of Saratoga Spring pupfish population) occurred subsequent to discovery of mosquitofish around the year 2001, and may jeopardize security of the Mohave tui chub population. The research program is designed to evaluate the restoration need and alternatives for Lake Tuendae, provide basic natural history for the species, evaluate threats to other existing populations, develop genetic management guidelines (in concert with recently completed genetic studies), and design/recommend new habitats to help recover the species. Funding is provided by the National Park Service.

The project proposes to evaluate life history variation in the Mohave tui chub (*Siphateles bicolor mohavensis*), and to conduct experimental work to evaluate the direct and interactive effects of lake turbidity and the presence of western mosquitofish (*Gambusia affinis*)

on Mohave tui chub population dynamics. This work will include 1) collection and sacrifice of 300 Mohave tui chub (Lake Tuendae–100 fish, China Lake NWS–100 fish, Camp Cady Pond – 100 fish and MC Spring–50 fish). 2) Mark–recapture research that will include the capture and release of live fish. Fish will be marked with fin clips (or with PIT tags if funds become available). Mark–recapture will be conducted at MC Pond, Lake Tuendae and Camp Cady (we will also collaborate with on–going mark–recapture research conducted at China Lake NWS). 3) A large scale mesocosm experiment will be conducted at Lake Tuendae. Three hundred and twenty (320) Mohave tui chub will be collected at Lake Tuendae to be used in a mesocosm experiment to be conducted directly in the lake. This experiment will test for the direct and interactive effects of mosquitofish and lake clarity on Mohave tui chub population dynamics. Sacrificed fish will be used to generate life history information pertinent to recovery efforts, which cannot be obtained through non–lethal means. Life history parameters to be developed include growth rate and longevity using otoliths (internal bones) because the species’ literature shows chubs with otolith ages up to 35 years, with corresponding scale “ages” maxing out at the false age of 5 years. To devise genetic management guidelines (for new habitat selection and reciprocal gene transfer) we need to know the age at maturity, parental investment in egg size and fecundity (presumably large differences will exist between habitats, especially MC Spring) and especially sex ratio. The fish would also have GSI (gonadal–somatic index) and anhydrous ether whole body fat extraction to measure fitness as influenced by mosquitofish competition (in Tuendae and China Lake populations) as well as the response to trophic limitation (again, MC Spring) and crowding (Cady). Many of the sacrificed fish would be the spawn of captive experimental fish (in the Tuendae experiments). The permit requests sacrifice of a small percentage of each population. Tui chub have a high reproductive output and therefore high intraspecific competition, so compensatory mortality is expected to fully compensate for the removal of even a large percentage of the population.

The Department intends to issue, under specified conditions, a Memorandum of Understanding (MOU) that would authorize the applicant, as the Principal Investigator, to carry out the proposed activities. As this fish species is also a federally endangered species, applicants are required to possess a valid Federal Threatened and Endangered Species permit.

Pursuant to California Fish and Game Code (FGC) Section 5515(a)(1), the Department may authorize take of Fully Protected Fish after 30 days notice has been provided to affected and interested parties through publication of this notice. If the Department determines that the proposed research is consistent with the requirements of FGC Section 5515 for take of Fully Protected fish, it would issue the authorization on or after February 4, 2007, for a term of three years. Contact: Fisheries Branch, 830 S Street, Sacramento, CA 95814, Attn.: Glenn Yoshioka.

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

AVAILABILITY OF DRAFT REPORT FOR REVIEW AND COMMENT

The Office of Environmental Health Hazard Assessment (OEHHA) of the California Environmental Protection Agency is making available for review and comment the final Draft Report “DEVELOPMENT OF HEALTH CRITERIA FOR SCHOOL SITE RISK ASSESSMENT PURSUANT TO HEALTH AND SAFETY CODE SECTION 901(g): PROPOSED CHILD–SPECIFIC BENCHMARK CHANGE IN BLOOD LEAD CONCENTRATION FOR SCHOOL SITE RISK ASSESSMENT”. Health and Safety Code Section 901(g) requires OEHHA to evaluate and publish; as appropriate, numerical health guidance values for those chemicals that could be encountered at school sites and may adversely impact the health of school children. This final public review and comment period follows the requirements set forth in Health and Safety Code Section 57003 for receiving public input. OEHHA has reviewed comments from an external peer review panel assembled by the Office of the President, University of California, and other interested parties in developing the final draft document. A public workshop was held in the Cal/EPA headquarters Building on April 12, 2006. The final draft report will be available January 5, 2007 on the OEHHA world–wide web site at OEHHA.CA.gov. OEHHA requests that comments on this report be delivered to OEHHA by 5:00 p.m. February 16, 2007.

If you would like to receive further information on this announcement or have questions, please contact our office at (916) 324–2829 or the address below. Written requests or comments should be addressed to:

Mr. Leon Surgeon
Integrated Risk Assessment Branch
Office of Environmental Health Hazard Assessment
P.O. Box 4010
1001 I Street, MS-12B
Sacramento, California 95812-4010
FAX: (916) 322-9705

Comments may also sent by e-mail to: irab@oehha.ca.gov

OFFICE OF ADMINISTRATIVE LAW

REQUEST FOR PUBLIC INPUT ANNUAL RULEMAKING CALENDAR GOVERNMENT CODE 11017.6

Each year all state government agencies with rulemaking authority are required to prepare a rulemaking calendar pursuant to section 11017.6 of the Government Code. The rulemaking calendar lists anticipated rulemaking activity by the agency for the coming year. The rulemaking calendar is non-binding. Section 11017.6 specifically allows agencies to adopt rules that were not listed in the rulemaking calendar if it is required by unanticipated circumstances.

The requirement to prepare a rulemaking calendar was established in 1982 and has not been amended since 1987. In 2000 the Legislature adopted section 11340.85 of the Government Code, which requires state agencies to post all their rulemaking activity on their web sites. The information that must be posted on the web pursuant to section 11340.85 is much more extensive than that included in the annual rulemaking calendar pursuant to section 11017.6. Use of the internet as a primary information source has, obviously, increased greatly since 1982.

The Office of Administrative Law is attempting to evaluate the public's current level of reliance upon the annual rulemaking calendar as a source of information about state agency rulemaking. If you have found that the annual rulemaking calendar continues to be a valuable source of information to you, please let us know through one of the following methods:

1. Send an e-mail message to staff@oal.ca.gov;
2. Send a note via fax to (916) 323-6826;
3. Leave a telephone voice message at (916) 323-6815; or
4. Send a letter to:

Office of Administrative Law
Rulemaking Calendar Survey
300 Capitol Mall, Suite 1250
Sacramento, CA 95814

Any information that you could provide on this subject would be greatly appreciated.

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA, 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

AIR RESOURCES BOARD PERP and Portable/Stationary ATCM

This regulatory action amends regulations which the Board had adopted in February 2004 regarding the Airborne Toxic Control Measure (ATCM) for diesel engines, one set of regulations for portable diesel engines and one for stationary diesel engines. It also amends another set of regulations regarding the Portable Equipment Registration Program (PERP). The amendments to the ATCM regulations create some limited compliance flexibility for engine dealers, distributors and owners. The amendments to the PERP regulations expands the definition of "resident engine," defines Tier 1 and 2 engines, and establishes the requirements and fee schedule for compliance flexibility in the revised PERP.

Title 13, 17
California Code of Regulations
ADOPT: 93116.3.1 AMEND: 2452, 2456, 2461,
93115, 93116.2, 93116.3
Filed 12/27/06
Effective 12/27/06
Agency Contact: George Poppic (916) 322-3940

BOARD OF PHARMACY Prescription drop boxes and automated delivery devices

This rulemaking action will permit the use of prescription drop-off boxes and automated, self-services delivery devices. The regulation authorizes a patient to deposit a prescription in a secure container at the licensed premises. The regulation will also allow a patient to access his or her prescription medication from a

self-service automated delivery device in a pharmacy under specified conditions intended to assure security, confidentiality, appropriate pharmacist consultations, and pharmacy responsibility.

Title 16
California Code of Regulations
ADOPT: 1713 AMEND: 1717
Filed 12/27/06
Effective 01/26/07
Agency Contact:
Virginia Herold (916) 445-5014 x4005

BOARD OF PSYCHOLOGY Continuing Education — Laws and Ethics

This regulatory action broadens the means by which the “laws and ethics” training component for renewing a license can be fulfilled. It removes the minimum hour requirement but continues to require certification of training under penalty of perjury. It also further clarifies what type of training is necessary and the methods of obtaining such training.

Title 16
California Code of Regulations
AMEND: 1397.61(b)
Filed 12/20/06
Effective 01/19/07
Agency Contact: Kathy Bradbury (916) 263-0712

CALIFORNIA HIGHWAY PATROL Cargo Securement Standards

This emergency regulatory action adopts the federal requirements for cargo securement standards in compliance with section 34500.3 of the Vehicle Code.

Title 13
California Code of Regulations
ADOPT: 1300 REPEAL: 1300, 1301, 1302, 1303, 1304, 1304.1, 1305, 1310, 1311, 1312, 1313, 1314, 1315, 1320, 1321, 1322, 1323, 1324, 1325, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1339.1, 1339.2, 1339.3, 1339.4, 1339.5, 1339.6, 1340, 1341, 1342, 1343, 1344, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1370, 1371, 1372, 1373, 1374, 1375, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1420, 1421, 1422, 1423, 1424, 1425
Filed 12/27/06
Effective 01/01/07
Agency Contact: Jeff Picardi (916) 445-1865

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Public Safety Communications Terrorism Training

This rulemaking package adds the subject and titles of training courses for peace officers and instructors related to terrorism and weapons of mass destruction in compliance with Penal Code section 13519.12. The specific sections amended are Title 11, sections 1070, 1081 and 1082.

Title 11
California Code of Regulations
AMEND: 1070, 1081, 1082
Filed 12/21/06
Effective 01/20/07
Agency Contact: Patricia Cassidy (916) 227-4847

DEPARTMENT OF FOOD AND AGRICULTURE Diaprepes Root Weevil Interior Quarantine

This emergency regulatory action expands the quarantine area of Title 3, section 3433, based on multiple finds of diaprepes root weevil.

Title 3
California Code of Regulations
AMEND: 3433(b)
Filed 12/20/06
Effective 12/20/06
Agency Contact: Stephen Brown (916) 654-1017

DEPARTMENT OF FOOD AND AGRICULTURE Oriental Fruit Fly Interior Quarantine

This emergency regulatory action removes the Oriental Fruit Fly Interior Quarantine from the Rialto area of San Bernardino County.

Title 3
California Code of Regulations
AMEND: 3423(b)
Filed 12/20/06
Effective 12/20/06
Agency Contact: Stephen Brown (916) 654-1017

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Mobilehome and Special Occupancy Parks

This rulemaking package adopts and amends regulations within Title 25 related to mobilehome and special occupancy parks. Specifically, lot occupancy, lot lines, roadway markings, local fire district designation of fire lanes, methods for determining lot coverage and consistency with underground gas piping requirements are all addressed as they pertain to mobilehome and special occupancy parks. Most of these changes, although substantive in nature, are minor.

Title 25

California Code of Regulations

ADOPT: 1433.1 AMEND: 1002, 1016, 1105, 1106, 1110, 1134, 1216, 1254, 1317, 1330, 1338, 1338.1, 1428, 1433, 1498, 1504, 2002, 2016, 2105, 2106, 2110, 2118, 2134, 2216, 2254, 2317, 2330, 2428, 2498, 2504

Filed 12/26/06

Effective 01/02/07

Agency Contact: Brad Harward (916) 324-4907

DEPARTMENT OF INSURANCE

Viatical Settlements

This action adopts regulations for the administration of a licensing program for viatical settlement providers, brokers and sales agents, defines terms and sets standards for their business practices.

Title 10

California Code of Regulations

ADOPT: 2548.1, 2548.2, 2548.3, 2548.4, 2548.5, 2548.6, 2548.7, 2548.8

Filed 12/22/06

Effective 01/21/07

Agency Contact:

Jennifer Chambers (415) 538-4145

DEPARTMENT OF INSURANCE

Law Enforcement Access to Insurance Claims Information

California Insurance Code section 1875.18(a) requires that every bodily injury medical payment, or uninsured motorist claim made under a policy of automobile insurance shall be available, upon request, to law enforcement in this state whenever the claim relates to an event that occurred within the state. Subsection (c)(1) provides that a claims analysis bureau shall provide automobile claims information upon request to law enforcement agencies pursuant subdivision (a). Subsection (d)(2) provides that the Insurance Commissioner has the authority to promulgate regulations that establish rules for the access to and use of any information requested or obtained pursuant to this section, and the circumstances under which that information may be inspected or corrected. This regulatory action adopts regulations implementing this process.

Title 10

California Code of Regulations

ADOPT: 2698.80, 2698.81, 2698.82, 2698.83, 2698.84, 2698.85, 2698.86, 2698.87, 2698.88, 2698.89, 2698.89.1 AMEND: 2698.80, 2698.81, 2698.82, 2698.83, 2698.84, 2698.85, 2698.86

Filed 12/26/06

Effective 01/25/07

Agency Contact: Debra Chaum (415) 538-4115

DEPARTMENT OF INSURANCE

California Low Cost Automobile Insurance Program Rates

This is a Certificate of Compliance for prior emergency regulatory actions (OAL file nos. 06-0314-01EFP; 06-0512-01EFP; 06-0714-02EFP; 06-0922-01EFP) that established the uniform rates for the liability policy, uninsured motorists and medical payments coverage under the Low Cost Automobile Insurance Program for the following counties: (1) Alameda, Fresno, Orange, Riverside, San Bernardino and San Diego, and (2) Contra Costa, Imperial, Kern, Sacramento, San Joaquin, San Mateo, Santa Clara, and Stanislaus. The California Low Cost Automobile Insurance Program is a statutorily required plan for equitable apportionment among insurers required to participate in the California Automobile Assigned Risk Plan (CAARP) for persons residing in the specified counties who are eligible to purchase a low cost automobile insurance policy through the program established in those counties. The establishment of the rates in these counties is exempt from the APA and OAL's review pursuant to Government Code section 11340.9, subdivision (g); however, the expansion of the program into the eight counties listed in the second group, which were designated by the Commissioner, is subject to the APA and OAL review.

Title 10

California Code of Regulations

AMEND: 2498.6

Filed 12/27/06

Effective 12/27/06

Agency Contact:

Mary Ann Shulman (415) 538-4133

DEPARTMENT OF INSURANCE

Procedure for Noncompliance Hearings

This action codifies the Department of Insurance's administrative hearing procedures for hearings to determine compliance of insurers or other organizations with the requirements of Insurance Code, Chapter 9 governing rates and ratings.

Title 10

California Code of Regulations

ADOPT: 2614, 2614.1, 2614.2, 2614.3, 2614.4, 2614.5, 2614.6, 2614.7, 2614.8, 2614.9, 2614.10, 2614.11, 2614.12, 2614.13, 2614.14, 2614.15, 2614.16, 2614.17, 2614.18, 2614.19, 2614.20, 2614.21, 2614.22, 2614.23, 2614.24, 2614.25, 2614.26, 2614.27

Filed 12/20/06

Effective 01/19/07
Agency Contact: Lara Sweat (415) 538-4192

DEPARTMENT OF JUSTICE**Payment Surety Bond**

This print-only filing is DOJ's approval and printing of the new Payment Surety Bond for the Department of Health Services in the Title 11 listing of approved surety bonds.

Title 11
California Code of Regulations
ADOPT: 80.3
Filed 12/21/06
Effective 12/21/06
Agency Contact: Anne M. Burr (415) 703-1403

DEPARTMENT OF JUSTICE**Bond Form**

This print-only filing is DOJ's approval and printing of Farm Labor Contractor Bond for the Department of Industrial Relations in the Title 11 listing of approved surety bonds.

Title 11
California Code of Regulations
AMEND: 48.6
Filed 12/21/06
Effective 12/21/06
Agency Contact: Anne M. Burr (415) 703-1403

**DEPARTMENT OF TOXIC SUBSTANCES
CONTROL****Alternative Management Standards for Treated Wood Waste**

This emergency regulatory action establishes the requirements for generation, disposal and management of Treated Wood Waste.

Title 22
California Code of Regulations
ADOPT: 66261.9.5, 67386.1, 67386.2, 67386.3, 67386.4
Filed 12/27/06
Effective 01/01/07
Agency Contact: Nicole Sotak (916) 327-4508

**OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD****Update of National Consensus Standard Reference for Protective Footwear**

This regulatory action updates the edition of the American Society for Testing and Materials (ASTM) for Protective Footwear. Specifically, this regulation

updates the requirements for protective footwear for employees who are exposed to foot injuries from electrical hazards, hot, corrosive, poisonous substances, falling objects, crushing or penetrating actions, or who work in abnormally wet locations.

Title 8
California Code of Regulations
AMEND: 3385
Filed 12/27/06
Effective 01/26/07
Agency Contact: Marley Hart (916) 274-5721

**OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD****Inspections**

Existing regulation section 5031 of Title 8 of the California Code Regulations deals with inspections. This change without regulatory effect adds "subsection" in front of ("b") in the following sentence: "The inspection shall include the following in addition to the items in (b) above." and also divides existing subsection (b)(3) into (b)(3) and (b)(4).

Title 8
California Code of Regulations
AMEND: 5031
Filed 12/21/06
Agency Contact: Marley Hart (916) 274-5721

PUBLIC UTILITIES COMMISSION**Amendment to Rule of Practice and Procedure**

This is a nonsubstantive action making mention of the availability of the Commission's Daily Calendar through the Commission's website. The previous subscription service is obsolete.

Title 20
California Code of Regulations
AMEND: 1.161
Filed 12/26/06
Effective 12/26/06
Agency Contact: Hallie Yacknin (415) 703-1675

SECRETARY OF STATE**Disclaimer of proper appointment as Agent, Officer or Director**

This rulemaking amends 2 CCR 21906, "Disclaimer of Proper Appointment As Agent, Officer or Director," by adding citations of additional applicable code sections to the text and the authority and reference section of this regulation. This amendment updates the authority and citation references in this regulation. This rulemaking also deletes a form that is printed in the CCR and places the information from the form into the text.

Title 2
California Code of Regulations
AMEND: 21906
Filed 12/22/06
Effective 12/22/06
Agency Contact: Todd Vlaanderen (916) 653-7514

**STATE WATER RESOURCES CONTROL BOARD
Non-Regulatory Revisions to S.F. Bay Water Board
Basin Plan**

The San Francisco Bay Regional Water Quality Control Board (Regional Board) adopted Resolution R2-2005-0062 on November 16, 2005, which amended the Water Quality Control Plan for the San Francisco Bay Region (Basin Plan). The State Water Resources Control Board approved this amendment under Resolution No. 2006-0024 on April 18, 2006. The Basin Plan contains the region's water quality standards, which consist of beneficial uses and water quality objectives necessary to protect those uses. The amendment does not contain any proposed changes to regulations or changes in surface water quality objectives. The changes are intended solely to improve the clarity of the Basin Plan and its convenience for public use. The amendment incorporates the following revisions to the Basin Plan:

(1) Organizational changes, including a numbering scheme for Basin Plan sections to facilitate citation, a list of acronyms, and formation of a new Chapter 7 that contains the description of Total Maximum Daily Loads (TMDLs) and other Water Quality Attainment Strategies;

(2) Updates and corrections of maps and tables; and

(3) Updates of program descriptions for groundwater protection and management, wastewater pollution prevention, watershed management, wetlands, onsite (septic) systems, water recycling, and selected municipal wastewater facilities.

Title 23
California Code of Regulations
AMEND: 3912
Filed 12/22/06
Agency Contact: Joanna Jensen (916) 657-1036

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN JULY 26, 2006 TO
DECEMBER 27, 2006**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted

by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 2

12/22/06 AMEND: 21906
12/18/06 AMEND: 18312, 18316.5, 18326, 18401, 18521, 18537.1, 18704.5, 18705.5, 18730, 18746.2
12/18/06 AMEND: 18545
12/18/06 AMEND: 18703.4, 18730, 18940.2, 18942.1, 18943
12/18/06 AMEND: 1859.2, 1859.70.1, 1859.71.3, 1859.78.5
12/18/06 ADOPT: 18421.3
12/14/06 ADOPT: 18707.10
12/13/06 ADOPT: 20108, 20108.1, 20108.12, 20108.15, 20108.18, 20108.20, 20108.25, 20108.30, 20108.35, 20108.36, 20108.37, 20108.38, 20108.40, 20108.45, 20108.50, 20108.51, 20108.55, 20108.60, 20108.65, 20108.70, 20108.75, 20108.80
11/06/06 AMEND: 18216, 18421.1
11/03/06 AMEND: 1859.73.2
10/31/06 AMEND: 559.500, 559.501, 559.503, 559.504, 559.505, 559.507, 559.508, 559.509, 559.510, 559.511, 559.512, 559.513, 559.515, 559.516, 559.517
10/12/06 AMEND: 714
09/27/06 AMEND: 18754
09/07/06 AMEND: 21904, 21905
09/05/06 AMEND: 1859.2, 1859.76, 1859.83, 1859.163.1
08/23/06 AMEND: 1181.4
08/21/06 AMEND: 1859.2, 1859.70.1, 1859.71.3, 1859.78.5
08/15/06 ADOPT: 20108, 20108.1, 20108.12, 20108.15, 20108.18, 20108.20, 20108.25, 20108.30, 20108.35, 20108.36, 20108.37, 20108.38, 20108.40, 20108.45, 20108.50, 20108.51, 20108.55, 20108.60, 20108.65, 20108.70, 20108.75, 20108.80
08/11/06 AMEND: 1859.2, 1859.40, 1859.51, 1859.70, 1859.93.1, 1859.95, 1859.147, 1859.202, 1866

Title 3

12/20/06 AMEND: 3433(b)
12/20/06 AMEND: 3423(b)

12/19/06	ADOPT: 6310, 6312, 6314 AMEND: 6170	891, 892, 893, 894, 895, 896, 897, 898, 899, 901
12/06/06	AMEND: 3700(c)	10/26/06 AMEND: 30023(c)
12/06/06	AMEND: 3591.6	10/23/06 ADOPT: 11991, 11991.1, 11991.2
11/30/06	ADOPT: 6128 AMEND: 6130	10/16/06 ADOPT: 11987, 11987.1, 11987.2, 11987.3, 11987.4, 11987.5, 11987.6, 11987.7
11/16/06	AMEND: 3433(b)	09/29/06 ADOPT: 19833.5, 19833.6 AMEND: 19815, 19816, 19816.1, 19819, 19824, 19828.1, 19831
11/13/06	AMEND: 3423(b)	09/15/06 REPEAL: 18074.1(b), (c), (d), 18074.3, 18074.4, 18074.5, 18074.6
11/08/06	AMEND: 3591.2(a)	08/30/06 ADOPT: 15566, 15567, 15568 REPEAL: 15569
10/27/06	ADOPT: 765 AMEND: 760.4, Article 3.5	08/15/06 AMEND: 1030.7, 1030.8
10/19/06	AMEND: 3591.6(a)	07/31/06 ADOPT: 1043.2, 1043.4, 1043.6, 1043.8, 1043.10, 1047, 1048 AMEND: 1040, 1041, 1043, 1044 REPEAL: 1042, 1045, 1046
10/12/06	AMEND: 3433(b)	07/27/06 ADOPT: 40500.1, 40511, 40512, 41020 AMEND: 40100
10/12/06	AMEND: 3433(b)	Title 8
10/12/06	ADOPT: 3424	12/27/06 AMEND: 3385
10/06/06	AMEND: 3700(c)	12/21/06 AMEND: 5031
10/06/06	AMEND: 3591.13(a)	12/15/06 AMEND: 5006.1
10/05/06	AMEND: 3589	11/14/06 AMEND: 6368
10/05/06	AMEND: 3433(b)	11/14/06 AMEND: 3482, 5161, 5178
10/02/06	AMEND: 3591.6(a)	11/08/06 AMEND: 17000 Appendix
09/19/06	AMEND: 3433(b)	11/02/06 AMEND: 3650
09/12/06	AMEND: 3591.12(a)	10/18/06 AMEND: 9768.5, 9768.10, 9788.11, 9788.31, 9789.33
09/12/06	AMEND: 3406(b)	09/29/06 AMEND: 341, 341.1
09/08/06	AMEND: 3423(b)	09/25/06 AMEND: 4920
09/07/06	AMEND: 3433(b)	09/21/06 ADOPT: 10001, 10002, 10003
09/05/06	AMEND: 3406(b)	09/19/06 ADOPT: 1532.2, 5206, 8359 AMEND: 5155
08/29/06	AMEND: 3433(b)	07/31/06 AMEND: 5154.1
08/24/06	AMEND: 3433(b)	07/28/06 AMEND: Subchapter 4, Appendix B, Plate B-1-a
08/23/06	AMEND: 3591.12(a)	07/27/06 ADOPT: 3395
08/17/06	AMEND: 3591.19(a)	Title 9
08/16/06	AMEND: 3433(b)	11/21/06 AMEND: 9100
08/15/06	AMEND: 3700(c)	09/25/06 ADOPT: 3400
08/15/06	AMEND: 3700(c)	Title 10
08/10/06	AMEND: 3591.6(a)	12/27/06 AMEND: 2498.6
08/01/06	AMEND: 3591.6(a)	12/26/06 ADOPT: 2698.80, 2698.81, 2698.82, 2698.83, 2698.84, 2698.85, 2698.86, 2698.87, 2698.88, 2698.89, 2698.89.1 AMEND: 2698.80, 2698.81, 2698.82, 2698.83, 2698.84, 2698.85, 2698.86
08/01/06	AMEND: 3424(b)	12/22/06 ADOPT: 2548.1, 2548.2, 2548.3, 2548.4, 2548.5, 2548.6, 2548.7, 2548.8
07/28/06	AMEND: 3591.2(a)	
07/26/06	AMEND: 3700(c)	
Title 4		
12/05/06	AMEND: 1582	
11/22/06	AMEND: 1544 & 1658	
11/16/06	ADOPT: 2422.1	
11/03/06	AMEND: 10152, 10153, 10155, 10159, 10160, 10161, 10162	
10/24/06	AMEND: 1486	
10/16/06	AMEND: 1733	
09/26/06	AMEND: 1976.8	
Title 5		
11/13/06	AMEND: 18013, 18054	
11/08/06	AMEND: 850, 851, 852, 853, 854, 855, 857, 858, 859, 861, 862, 863, 864, 864.5, 865, 866, 867, 870 REPEAL: 850.5, 880, 881, 882, 883, 884, 886, 887, 888, 890,	

12/20/06	ADOPT: 2614, 2614.1, 2614.2, 2614.3, 2614.4, 2614.5, 2614.6, 2614.7, 2614.8, 2614.9, 2614.10, 2614.11, 2614.12, 2614.13, 2614.14, 2614.15, 2614.16, 2614.17, 2614.18, 2614.19, 2614.20, 2614.21, 2614.22, 2614.23, 2614.24, 2614.25, 2614.26, 2614.27	10/13/06	AMEND: 30.1
12/19/06	AMEND: 2690.90, 2690.91, 2690.92, 2690.93, 2690.94	10/13/06	AMEND: 30.5
12/13/06	ADOPT: 2534.40, 2534.41, 2534.42, 2534.43, 2534.44, 2534.45, 2534.46	08/16/06	ADOPT: 1084
11/15/06	AMEND: 2697.6, 2697.61	07/27/06	AMEND: 1001, 1005, 1008, 1011, 1014, 1015, 1018, 1052, 1053, 1055, 1056, 1081 and Procedures D-1, D-2, D-10 E-1, F-1, and F-6
11/09/06	AMEND: 2498.5	Title 13	
11/09/06	AMEND: 2534.27, 2534.28	12/27/06	ADOPT: 1300 REPEAL: 1300, 1301, 1302, 1303, 1304, 1304.1, 1305, 1310, 1311, 1312, 1313, 1314, 1315, 1320, 1321, 1322, 1323, 1324, 1325, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1339.1, 1339.2, 1339.3, 1339.4, 1339.5, 1339.6, 1340, 1341, 1342, 1343, 1344, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1370, 1371, 1372, 1373, 1374, 1375, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1420, 1421, 1422, 1423, 1424, 1425
10/24/06	ADOPT: 2303, 2303.1, 2303.2, 2303.3, 2303.4, 2303.5, 2303.6, 2303.7, 2303.8, 2303.9, 2303.10, 2303.11, 2303.12, 2303.13, 2303.14, 2303.15, 2303.16, 2303.17, 2303.18, 2303.19, 2303.20, 2303.21, 2303.22, 2303.23, 2303.24, 2303.25	12/13/06	AMEND: 553.70
10/16/06	ADOPT: 2194.9, 2194.10, 2194.11, 2194.12, 2194.13, 2194.14, 2194.15, 2194.16, 2194.17	12/06/06	ADOPT: 2022, 2022.1
10/10/06	AMEND: 2498.4.9	12/01/06	ADOPT: 2479
10/03/06	AMEND: 2498.5	11/13/06	AMEND: 2111, 2112, 2441, 2442, 2444.2, 2445.1, 2445.2, 2446
10/02/06	AMEND: 2248.4, 2249.1, 2249.2, 2249.6, 2249.7, 2249.8, 2249.9, 2249.10, 2249.11, 2249.12, 2249.13, 2249.14, 2249.15, REPEAL: 2248.11, 2248.12, 2248.19	11/13/06	AMEND: 2445.2(a)
09/20/06	AMEND: 2318.6, 2353.1	10/30/06	ADOPT: 118.00
09/14/06	AMEND: 3528	10/27/06	AMEND: 423.00
08/29/06	AMEND: 2699.6600	10/16/06	AMEND: 1956.8, 2404, 2424, 2425, 2485
08/28/06	ADOPT: 803, 810, 810.1, 810.2, 810.3, 810.4, 810.5, 810.6, 810.7 AMEND: 800, 801, 802, 804, 806, 807	10/05/06	AMEND: Section 1
08/08/06	ADOPT: 3583 AMEND: 3500, 3525, 3527, 3528, 3541, 3542, 3543, 3544, 3563, 3568, 3603, 3622, 3668, 3681, 3682, 3761 REPEAL: 3541	09/14/06	AMEND: 25.06, 25.07, 25.08, 25.10, 25.14, 25.15, 25.16, 25.17, 25.18, 25.19, 25.20, 25.21, 25.22
08/02/06	ADOPT: 2790.7	09/11/06	ADOPT: 2467.8, 2467.9 AMEND: 2467, 2467.1, 2467.2, 2467.3, 2467.4, 2467.5, 2467.6, 2467.7, Incorporated Documents REPEAL: 2467.8, Incorporated Test Method 512
08/01/06	ADOPT: 5370, 5371, 5372, 5373, 5374, 5375, 5376, 5377	09/07/06	AMEND: 1956.1, 1956.8, 2023.1, 2023.4
07/28/06	AMEND: 2698.52(c), 2698.53(b), 2698.56(c)	08/24/06	AMEND: 28.22
07/26/06	ADOPT: 5280, 5281, 5282, 5283, 5284, 5285, 5286	07/28/06	AMEND: 154.00
Title 11		Title 13, 17	
12/21/06	AMEND: 48.6	12/27/06	ADOPT: 93116.3.1 AMEND: 2452, 2456, 2461, 93115, 93116.2, 93116.3
12/21/06	AMEND: 1070, 1081, 1082	12/06/06	ADOPT: 2299.1, 93118
12/21/06	ADOPT: 80.3		

Title 14

12/19/06 AMEND: 105.1, 120.01, 149.1, 150, 150.02, 150.03, 150.05, 180.3, 180.15, 231

12/05/06 AMEND: 2305, 2310, 2320

12/01/06 AMEND: 163, 164

11/27/06 ADOPT: 4970.49, 4970.50, 4970.51, 4970.52, 4970.53, 4970.54, 4970.55, 4970.56, 4970.57, 4970.58, 4970.59, 4970.60, 4970.61, 4970.62, 4970.63, 4970.64, 4970.65, 4970.66, 4970.67, 4970.68, 4970.69, 4970.70, 4970.71, 4970.72

11/27/06 ADOPT: 18660.5, 18660.6, 18660.7, 18660.8, 18660.9, 18660.10, 18660.11, 18660.12, 18660.13, 18660.14, 18660.15, 18660.16, 18660.17, 18660.18, 18660.19, 18660.20, 18660.21, 18660.22, 18660.23, 18660.24, 18660.25, 18660.30, 18660.31, 18660.32, 18660.33

11/22/06 AMEND: 939.15, 959.15

11/16/06 AMEND: 916.5(e), 936.5(e), 956.5(e), 916.9, 936.9, 956.9

11/14/06 AMEND: 5101, 5104

11/07/06 AMEND: 11900

11/02/06 AMEND: 183

10/19/06 AMEND: 632(b)(72)

10/11/06 AMEND: 895, 895.1, 1038, 1038(f)

10/06/06 AMEND: 670.2

09/20/06 AMEND: 895.1, 898, 914.8, [934.8, 954.8], 916, [936, 956], 916.2 [936.2, 956.2], 916.9, [936.9, 956.9], 916.11, [936.11, 956.11], 916.12, [936.12, 956.12], 923.3, [943.3, 963.3], 923.9, [943.9, 963.9]

09/19/06 AMEND: 502

09/15/06 AMEND: 851.8, 851.23, 851.51.1, 851.85, 852.3, 851.4, 851.10, 851.10.1

08/31/06 AMEND: 27.80

08/11/06 AMEND: 1261

08/11/06 AMEND: 7.50

08/04/06 ADOPT: 701, 702 AMEND: 1.74, 27.15, 27.67, 478.1, 551, 601, 708

07/31/06 ADOPT: 4970.49, 4970.50, 4970.51, 4970.52, 4970.53, 4970.54, 4970.55, 4970.56, 4970.57, 4970.58, 4970.59, 4970.60, 4970.61, 4970.62, 4970.63, 4970.64, 4970.65, 4970.66, 4970.67, 4970.68, 4970.69, 4970.70, 4970.71, 4970.72

07/31/06 ADOPT: 4970, 4970.02, 4970.03, 4970.04, 4970.05, 4970.06, 4970.07,

4970.08, 4970.09, 4970.10, 4970.11, 4970.12, 4970.13, 4970.14, 4970.15, 4970.16, 4970.17, 4970.18, 4970.19, 4970.20, 4970.21 AMEND: 4970.00, 4970.01 REPEAL: 4970.02, 4970.03, 4970.04

07/28/06 AMEND: 15411

07/28/06 ADOPT: 7.50(b)(178)

Title 14, 22

07/27/06 ADOPT: 69200, 69201, 69202, 69203, 69204, 69205, 69206, 69207, 69208, 69209, 69210, 69211, 69212, 69213, 69214 REPEAL: 19030, 19031, 19032, 19033, 19034, 19035, 19036, 19037, 19038, 19039, 19040, 19041, 19042, 19043, 19044

Title 15

12/19/06 ADOPT: 3413.1 AMEND: 3413

12/04/06 AMEND: 3041.2, 3053, 3177, 3331, 3375

11/03/06 AMEND: 3084.1

11/03/06 AMEND: 3375.2, 3377.1

10/06/06 ADOPT: 2275

10/03/06 ADOPT: 3352.2 AMEND: 3350.1, 3352.1, 3354, 3358

08/11/06 ADOPT: 4034.0, 4034.1, 4034.2, 4034.3, 4034.4 REPEAL: 4036.0, 4040.0

07/27/06 AMEND: 3000, 3062, 3075, 3210

Title 16

12/27/06 ADOPT: 1713 AMEND: 1717

12/20/06 AMEND: 1397.61(b)

12/18/06 ADOPT: 980.2, 980.3 AMEND: 980.1

12/07/06 ADOPT: 1793.8 AMEND: 1793.7

12/05/06 AMEND: 1397.12

11/16/06 AMEND: 1397.60, 1397.61, 1397.62

11/16/06 AMEND: 1351.5, 1352

11/16/06 AMEND: 28

11/16/06 ADOPT: 1399.170.20.1 AMEND: 1399.151.1

11/15/06 AMEND: 4120, 4121, 4161, 4162

11/15/06 ADOPT: 1034.1 AMEND: 1021, 1028, 1034

11/08/06 AMEND: 4130

11/02/06 AMEND: 3394.6

10/31/06 AMEND: 100, 102, 109, 111, 117, 136

10/26/06 AMEND: 345

10/17/06 AMEND: 928

10/11/06 AMEND: 3303.2, 3340.15, 3340.18, 3340.32, 3340.42, 3394.5

10/03/06 AMEND: 70

09/28/06 AMEND: 1399.156.4

09/26/06 AMEND: 1579
 09/12/06 AMEND: 384
 09/07/06 ADOPT: 1399.391
 08/31/06 ADOPT: 1727.1
 08/25/06 AMEND: 1922, 1936, 1948
 08/17/06 ADOPT: 601.5, 642.5 AMEND: 600.1, 601.3, 602, 602.1, 603, 605, 606, 607.4, 608.3, 627
 08/10/06 REPEAL: 829
 08/04/06 AMEND: 1886.40
 08/01/06 ADOPT: 1399.180, 1399.181, 1399.182, 1399.183, 1399.184, 1399.185, 1399.186, 1399.187
 07/31/06 AMEND: 3394.4, 3394.6

Title 17
 11/27/06 AMEND: 94010, 94011, 94167, and Incorporated Documents
 11/07/06 AMEND: 54342, 56076
 11/06/06 AMEND: 1000600, 100601, 100602, 100603, 100604, 100605, 100606, 100607, 100608, 100609, 100610
 10/26/06 AMEND: 2500, 2505
 10/17/06 AMEND: 93102.5
 10/12/06 ADOPT: 6500.1, 6500.5, 6500.19, 6500.25, 6500.28, 6500.31, 6500.35, 6500.39, 6500.45, 6500.46, 6500.57, 6500.59, 6500.65, 6500.67, 6500.69, 6500.70, 6500.74, 6500.77, 6500.80, 6501.2, 6502, 6504.2, 6504.4, 6504.6, 6506.2, 6506.6, 6506.8, 6506.10, 6506.12
 10/10/06 ADOPT: 100010, 100020, 100030, 100040, 100050, 100060, 100070, 100080, 100090, 100095, 100100, 100110
 10/05/06 ADOPT: 100001, 100002, 100003, 100004
 10/04/06 AMEND: 57310(b)(3), 57332(c)(3)(A), 57332(9)(A)2.a
 09/11/06 ADOPT: 100000
 07/28/06 AMEND: 30180, 30235, 30237

Title 18
 11/13/06 AMEND: 1699, 1802
 09/15/06 AMEND: 1620
 09/08/06 ADOPT: 1125, 1423 AMEND: 1123, 1420
 07/27/06 AMEND: 1591

Title 19
 11/14/06 ADOPT: 902.9, 902.19, 906.1, 906.2, 906.3 AMEND: 901, 902, 902.4, 902.11, 902.12, 902.15, 902.18, 904, 904.1, 904.2, 904.7, 905, 905.2, 906 REPEAL: 904.3, 904.4, 904.5, 904.6

Title 20
 12/26/06 AMEND: 1.161
 12/14/06 AMEND: 1602, 1602.1, 1604, 1605, 1605.1, 1605.2, 1605.3, 1606, 1607, 1608
 12/11/06 AMEND: 1605.3
 09/13/06 AMEND: 1, 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 2, 2.1, 2.2, 2.3, 2.3.1, 2.4, 2.5, 2.6, 2.7, 3, 3.1, 3.2, 3.3, 3.4, 4, 5, 6, 6.1, 6.2, 6.3, 6.4, 6.5, 6.6, 7, 7.1, 8, 8.1, 8.2, 9, 10, 10.1, 11, 12, 13, 13.1, 13.2, 14, 14.1, 14.2, 14.3, 14.4, 14.5, 14.6, 14.7, 15, 15.1, 16, 17, 17.1, 17.2, 17.3, 18, 21, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 42.1, 42.2, 43.1, 43.2, 43.3, 43.4, 43.5, 43.6, 43.7, 43.8, 44, 44.1, 44.2, 44.3, 44.4, 44.5, 44.6, 45, 46, 47, 48, 49, 50, 51, 51.1, 51.2, 51.3, 51.4, 51.5, 51.6, 51.7, 51.8, 51.9, 51.10, 52, 53, 54, 55, 56, 57, 58, 59, 59.1, 59.2, 60, 61, 61.1, 62, 63, 63.1, 63.2, 63.3, 63.4, 63.5, 63.6, 63.7, 63.8, 63.9, 63.10, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 74.1, 74.2, 74.3, 74.4, 74.5, 74.6, 74.7, 75, 76, 76.71, 76.72, 76.73, 76.74, 76.75, 76.76, 77, 77.1, 77.2, 77.3, 77.4, 77.5, 77.6, 77.7, 78, 79, 80, 81, 82, 83, 84, 85, 86, 86.1, 86.2, 86.3, 86.4, 86.5, 86.6, 86.7, 87, 88

Title 21
 10/06/06 ADOPT: 10000, 10000.1, 10000.2, 10000.3, 10000.4, 10000.5, 10000.6, 10000.7, 10000.8, 10000.9, 10000.10, 10000.11, 10000.12, 10000.13
 10/02/06 ADOPT: 1520, 1520.2, 1520.6, 1520.7, 1520.8, 1520.11, 1520.12, 1520.13, 1520.14 AMEND: 1520.1, 1520.3, 1520.5, 1520.9, 1520.10, 1520.15

Title 22
 12/27/06 ADOPT: 66261.9.5, 67386.1, 67386.2, 67386.3, 67386.4
 11/28/06 AMEND: 4413, 4445, 4450 REPEAL: 4412.2, 4445.1, 4446
 11/27/06 ADOPT: 69106 AMEND: 69100, 69101, 69102, 69103, 69104, 69106 (renumbered to 69107), 69107 (renumbered to 69108)
 11/21/06 ADOPT: 97266 AMEND: 90417, 97210, 97227, 97240, 97241, 97244, 97246, 97250, 97260, 97261, 97264
 10/24/06 REPEAL: 4428
 08/31/06 AMEND: 1256.5-1
 08/28/06 ADOPT: 64449.2, 64449.4 AMEND: 64449

08/24/06 ADOPT: 66262.27, 66263.24, Appendix
11 to Chapter 14 AMEND: 66260.10,
66262.20, 66262.21, 66262.23,
66262.32, 66262.33, 66262.34,
66262.42, 66262.53, 66262.54,
66262.55, 66262.56, 66262.60,
Appendix to chapter 12, 66263.18,
66263.20, 66263.21, 66263.32
08/09/06 REPEAL: 4402.1, 4403, 4408, 4431
08/03/06 AMEND: 12805
08/02/06 ADOPT: 64401.71, 64401.72, 64401.73,
64463, 64463.1, 64463.4, 64465, 64466
AMEND: 64426.1, 664432.1, 64451,
64453, 64481, 64482, 64483, 64666
REPEAL: 64463.2, 64464.1, 64464.3,
64464.6, 64465, 64466, 64467, 64467.5,
64468.1, 64468.2, 64468.3, 64468.4

Title 22, MPP

12/13/06 ADOPT: 82003, 82005, 82006, 82007,
82010, 82012, 82017, 82017, 82019,
82019.1, 82020, 82021, 82023, 82024,
82025, 82026, 82027, 82028, 82029,
82030, 82031, 82034, 82035, 82036,
82040, 82042, 82044, 82046, 82051,
82052, 82053, 82054, 82055, 82055.1,
82056
10/26/06 AMEND: 86500, 86501, 86505,
86505.1, 86506, 86507, 86508, 86509,
86510, 86511, 86512, 86517, 86518,
86519, 86519.1, 86519.2, 86520, 86521,
86522, 86523, 86524, 86526, 86527,
86528, 86529, 86529, 86531, 86531.1,
86531.2, 86534, 86535, 86536, 86540,
86542, 86544, 86545, 86546, 86552,
86553, 86554, 86555, 86555.1, 86558,
86559, 86561, 86562, 86563, 86564,
86565, 86565.2, 86565.5, 86566,
86568.1, 86568.2, 86568.4, 86570,
86572, 86572.1, 86572.2, 86574, 86575,
86576, 86577, 86578, 86578.1, 86579,
86580, 86586, 86587, 86587.1, 86587.2,
86588, MPP 11-400c, 11-402,
45-101(c), 45-202.5, 45-203.4,
45-301.1
08/11/06 ADOPT: 102416.2, 102416.3 AMEND:
102419, 102423

Title 23

12/22/06 AMEND: 3912
11/27/06 ADOPT: 3929.2
11/20/06 ADOPT: 3929.1
10/17/06 ADOPT: 3945.1
09/13/06 ADOPT: 3916
09/01/06 ADOPT: 3979.1
08/31/06 AMEND: 3920
08/31/06 ADOPT: 3939.22
08/11/06 ADOPT: 3907
08/04/06 ADOPT: 3929
08/04/06 ADOPT: 3949.2
07/25/06 ADOPT: 2814.20, 2814.21, 2814.22,
2814.23, 2814.24, 2814.25, 2814.26,
2814.27, 2814.28, 2814.29, 2814.30,
2814.31, 2814.32, 2814.33, 2814.34,
2814.35, 2814.36, 2814.37
07/21/06 ADOPT: 3949

Title 25

12/26/06 ADOPT: 1433.1 AMEND: 1002, 1016,
1105, 1106, 1110, 1134, 1216, 1254,
1317, 1330, 1338, 1338.1, 1428, 1433,
1498, 1504, 2002, 2016, 2105, 2106,
2110, 2118, 2134, 2216, 2254, 2317,
2330, 2428, 2498, 2504
11/27/06 ADOPT: 8460, 8461, 8462, 8463, 8464,
8465, 8466, 8467 AMEND: 8431
11/08/06 AMEND: 16

Title 28

09/11/06 ADOPT: 1002.4

Title MPP

10/17/06 ADOPT: 44-111, 44-211, 69-201,
69-202, 69-205, 69-207, 69-208,
69-209, 69-210, 69-211, 69-212,
69-213, 69-214, 69-216, 69-302,
69-303, 69-304, and 69-305
10/12/06 ADOPT: 30-785 AMEND: 30-700
09/07/06 AMEND: 11-501, 42-302, 42-701,
42-711, 42-712, 42-713, 42-715,
42-716, 42-718, 42-719, 42-720,
42-721, 42-722, 42-802, 42-1009,
42-1010, 44-111, 63-407 REPEAL:
42-710
09/01/06 ADOPT: 30-702 AMEND: 30-760.1
09/01/06 AMEND: 30-757.1, 30-757.14,
30-780(b), 30-780.1(b)(1)